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NEW DELHI, APRIL 29—MAY 5, 2012, SATURDAY/VAISAKHA 9—VAISAKHA 15, 1934

भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पुस्तक संकलन के रूप में रखा जा सके  
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)  
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं  
Statutory Orders and Notifications Issued by the Ministries of the Government of India  
(Other than the Ministry of Defence)

कार्यिक, लोक शिकायत तथा पेंशन मंत्रालय

(कार्यिक और प्रशिक्षण विभाग)

नई दिल्ली, 20 अप्रैल, 2012

क्र.आ. 1526.—केन्द्रीय सरकार एतद्द्वारा दंड प्रक्रिया संहिता 1973 (1974 का अधिनियम सं. 2) की धारा 24 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, दिल्ली विशेष पुलिस स्थापना (सीबीआई) द्वारा संस्थापित मामलों में परीक्षण न्यायालयों और अपीलों, पुनरीक्षणों या विधि द्वारा स्थापित अपीलीय या पुनरीक्षण न्यायालयों में इन मामलों से उद्भूत अन्य मामलों का अभियोजन स्थानीय क्षेत्रों सहित सम्पूर्ण मध्य प्रदेश राज्य में संचालित करने के लिए श्री राजेश कुमार सक्सेना, वकील को केंद्रीय अन्वेषण ब्यूरो के लोक अभियोजक के रूप में नियुक्त करती है।

[सं. 202/5/2011-एवीडी-II]

अशोक के. के. मीणा, निदेशक (वी-II)

## MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Personnel and Training)

New Delhi, the 20th April, 2012

S.O. 1526.—In exercise of the powers conferred by sub-section (2) of Section 24 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints Shri Rajesh Kumar Saxena, Advocate in Central Bureau of Investigation as Public Prosecutor for conducting the prosecution of cases in the local area comprising the whole State of Madhya Pradesh instituted by the Delhi Special Police Establishment (CBI) in trial courts and appeals, revisions or other matters arising out of these cases in revisional or appellate Courts, established by law.

[No. 202/5/2011-AVD-II]

ASHOK K. K. MEENA, Director (V-II)

## वित्त मंत्रालय

(व्यय विभाग)

नई दिल्ली, 20 अप्रैल, 2012

का.आ.1527.—राष्ट्रपति, केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण और अपील), नियम, 1965 के नियम 34 के साथ नियम 9 के उपनियम (2), नियम 12 के उपनियम (2) के खंड (ख), और नियम 24 के उपनियम (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत के नियंत्रक महालेखापरीक्षक से परामर्श करने के पश्चात्, भारत सरकार के वित्त मंत्रालय (व्यय विभाग) की अधिसूचना सं. का.आ. 2815 तारीख 13 सितंबर, 1988 का निम्नलिखित और संशोधन करती हैं, अर्थात् :—

उक्त अधिसूचना में अनुसूची के स्थान पर निम्नलिखित अनुसूची रखी जाएगी :—

## नियंत्रक महा-लेखापरीक्षक के स्थायी आदेशों की पुस्तिका (प्रशासकीय) खण्ड-II

अनुभाग "ड"

केन्द्रीय सिविल सेवायें (वर्गीकरण, नियंत्रण एवं अपील) नियमावली, 1965 के अन्तर्गत शक्तियां

भाग I—सामान्य केन्द्रीय सेवायें, वर्ग "ख"

दण्ड देने वाला सक्षम प्राधिकारी तथा ऐसे दण्ड जो वह

सी.सी.एस. (सी.सी.ए.) नियमावली

के मद संख्या 11 के संदर्भ में दे सके

पद का विवरण	नियुक्ति प्राधिकारी	प्राधिकारी	दण्ड	अपील प्राधिकारी	अभ्युक्ति/प्राधिकारी
1	2	3	4	5	6
<b>भारतीय लेखा एवं लेखापरीक्षा विभाग</b>					
1. भारत के नियंत्रक-महालेखापरीक्षक के अधीन सभी वर्ग "ख" पद के लिए वेतनमान-3, ग्रेड वेतन 5400 रुपये, वेतनमान-2, ग्रेड वेतन 5400 रुपये, 4800 रुपये, 4600 रुपये अथवा उसके समकक्ष।	प्रधान महालेखाकार/ महालेखाकार या उसके समान श्रेणी (रैंक) के अधिकारी	प्रधान महालेखाकार/ महालेखाकार या उसके समान श्रेणी (रैंक) के अधिकारी	सम्पूर्ण	भारत के उप-नियंत्रक महालेखापरीक्षक/अपर उप-नियंत्रक-महालेखा-परीक्षक	उज्जपत्र दिनांक 24-09-1988 में प्रकाशित एस.ओ. संख्या 2815 दिनांक 13-9-1988 तथा उज्जपत्र दिनांक 1-11-1988 में प्रकाशित शुद्धि-पत्र एस.ओ. सं. 3349 दिनांक 1-11-1988, शुद्धि-पत्र अधिसूचना 266 (ई) दिनांक 22-2-1990 तथा एस.ओ. 667 दिनांक 21-2-1991 उज्जपत्र दिनांक 9-3-1991 के भाग II, खण्ड 3 (ii) पृष्ठ 1137 में प्रकाशित।
1. (अ) सभी वर्ग "ख" पद के लिए वेतनमान-2, ग्रेड वेतन 4200 रुपये अथवा उसके समकक्ष।	वरिष्ठ उप महालेखाकार/ उप-महालेखाकार रैंक या उसके समान श्रेणी (रैंक) के अधिकारी।	वरिष्ठ उप-महालेखाकार/ उप-महालेखाकार रैंक या उसके समान श्रेणी (रैंक) के अधिकारी।	सम्पूर्ण	प्रधान महालेखाकार/ महालेखाकार के रैंक के विभागाध्यक्ष या उसके समान श्रेणी (रैंक) के अधिकारी	-तदैव-
2. भारत के नियंत्रक-महालेखापरीक्षक के अधीन सभी क्षेत्रीय कार्यालय (प्रशिक्षण संस्थाओं सहित) परन्तु घाणिज्यिक लेखापरीक्षा कार्यालय और सिविल लेखापरीक्षा कार्यालयों के घाणिज्यिक लेखापरीक्षा संभाग को छोड़कर।					

1	2	3	4	5	6
सभी वर्ग "ख" पद के लिए वेतनमान-3, ग्रेड वेतन 5400 रुपये, वेतनमान-2, ग्रेड वेतन 5400 रुपये, 4800 रुपये, 4600 रुपये अथवा उसके समकक्ष।	प्रधान महालेखाकार/ महालेखाकार के रैंक के विभागाध्यक्ष या उसके समान श्रेणी (रैंक) के अधिकारी।	प्रधान महालेखाकार/ महालेखाकार के रैंक के विभागाध्यक्ष या उसके समान श्रेणी (रैंक) के अधिकारी।	सम्पूर्ण	भारत के उप-नियंत्रक- महालेखापरीक्षक/अपर उप-नियंत्रक-महालेखा- परीक्षक	-तद्वै-
2. (अ) सभी वर्ग "ख" पद के लिए वेतनमान-2, ग्रेड वेतन 4200 रुपये अथवा उसके समकक्ष।	वरिष्ठ उप-महालेखाकार/ उप-महालेखाकार रैंक या उसके समान श्रेणी (रैंक) के अधिकारी।	वरिष्ठ उप-महालेखाकार/ उप-महालेखाकार रैंक या उसके समान श्रेणी (रैंक) के अधिकारी।	सम्पूर्ण	प्रधान महालेखाकार/ महालेखाकार के रैंक के विभागाध्यक्ष या उसके समान श्रेणी (रैंक) के अधिकारी	-तद्वै-
3. भारत के नियंत्रक-महालेखापरीक्षक के अधीन सभी वाणिज्यिक लेखा- परीक्षक एवं सिविल लेखापरीक्षक कार्यालय में वाणिज्यिक लेखापरीक्षा संभाग					
सभी वर्ग "ख" पद के वेतनमान-3, ग्रेड वेतन 5400 रुपये, वेतनमान-2, ग्रेड वेतन 5400 रुपये, 4800 रुपये, 4600 रुपये अथवा उसके समकक्ष।	भारत के नियंत्रक महालेखापरीक्षक के कार्यालय में प्रधान महालेखाकार/महालेखा- कार (रैंक) विभागाध्यक्ष या कार्यालय में उसके समान श्रेणी (रैंक) के अधिकारी	भारत के नियंत्रक महालेखापरीक्षक के कार्यालय में प्रधान महालेखाकार/महालेखा- कार (रैंक) विभागाध्यक्ष या कार्यालय में उसके समान श्रेणी (रैंक) के अधिकारी	सम्पूर्ण	उप-नियंत्रक महालेखा परीक्षक/अपर उप नियंत्रक महालेखापरीक्षक	-तद्वै-
3. (अ) सभी वर्ग "ख" पद के लिए वेतनमान-2, ग्रेड वेतन 4200 रुपये अथवा के समकक्ष।	वरिष्ठ उप महालेखाकार/ उप महालेखाकार रैंक या उसके समान श्रेणी (रैंक) के अधिकारी।	वरिष्ठ उप महालेखाकार/ उप महालेखाकार रैंक या उसके समान श्रेणी (रैंक) के अधिकारी।	सम्पूर्ण	प्रधान महालेखाकार/ महालेखाकार के रैंक के विभागाध्यक्ष या उसके समान श्रेणी (रैंक) के अधिकारी	-तद्वै-

## अनुभाग "ड" जारी

## भाग II-सामान्य केन्द्रीय सेवायें, वर्ग "ग"

1	2	3	4	5	6
<b>भारतीय लेखा तथा लेखापरीक्षा विभाग</b>					
1. भारत के नियंत्रक-महालेखापरीक्षक का कार्यालय					
सभी वर्ग "ग" पद के वेतनमान-1, ग्रेड वेतन 2800 रुपये, 2400 रुपये, 2000 रुपये, 1900 रुपये अथवा उसके समकक्ष।	वरिष्ठ उप महालेखाकार/ उप महालेखाकार रैंक या उसके समान श्रेणी (रैंक) के अधिकारी।	वरिष्ठ उप महालेखाकार/ उप महालेखाकार रैंक या उसके समान श्रेणी (रैंक) के अधिकारी।	सम्पूर्ण	प्रधान महालेखाकार/ महालेखाकार रैंक के अधिकारी या उसके समान श्रेणी (रैंक) के अधिकारी	-तद्वै-
2. भारत के नियंत्रक-महालेखापरीक्षक के अधीन सभी क्षेत्रीय कार्यालय (प्रशिक्षण संस्थाओं सहित) परन्तु वाणिज्यिक लेखापरीक्षा कार्यालय और सिविल लेखा-परीक्षा कार्यालय के वाणिज्यिक लेखापरीक्षा संभाग को छाड़ कर।					

1	2	3	4	5	6
सभी वर्ग "ग" पद के वेतनमान-1, ग्रेड वेतन 2800 रुपये, 2400 रुपये, 2000 रुपये, 1900 रुपये अथवा उसके समकक्ष।	वरिष्ठ उप महालेखाकार/ उपमहालेखाकार या उसके समान श्रेणी (रैंक) के अधिकारी।	वरिष्ठ उप महालेखाकार/ उपमहालेखाकार या उसके समान श्रेणी (रैंक) के अधिकारी।	सम्पूर्ण	प्रधान महालेखाकार/ महालेखाकार के रैंक के विभागाध्यक्ष या उसके समान श्रेणी (रैंक) के अधिकारी	तदैव
3. भारत के नियंत्रक-महालेखापरीक्षक के अधीन सभी वाणिज्यिक लेखा- परीक्षा कार्यालय एवं सिविल लेखा- परीक्षा कार्यालय के वाणिज्यिक लेखापरीक्षा संचालक।					
(i) निरसित किया गया है	निरसित किया गया है	निरसित किया गया है	निरसित किया गया है	निरसित किया गया है	निरसित किया गया है
(ii) अन्य वर्ग "ग" पद (वाणिज्यिक लेखापरीक्षा कार्यालयों में) वेतनमान-1, ग्रेड वेतन 2800 रुपये, 2400 रुपये, 2000 रुपये, 1900 रुपये अथवा उसके समकक्ष।	वरिष्ठ उप महालेखाकार/ उप महालेखाकार रैंक के अधिकारी या उसके समान श्रेणी (रैंक) के अधिकारी	वरिष्ठ उप महालेखाकार/ उप महालेखाकार रैंक के अधिकारी या उसके समान श्रेणी (रैंक) के अधिकारी	सम्पूर्ण	प्रधान महालेखाकार/ महालेखाकार श्रेणी के विभागाध्यक्ष या उसके समान श्रेणी (रैंक) के अधिकारी	राजपत्र दिनांक 24-09-1988 में प्रकाशित का.आ. संख्या 2815 दिनांक 13-9-1988 तथा राजपत्र दिनांक 1-11-1988 में प्रकाशित शुद्धि-पत्र का.आ., सं. 3349 दिनांक 1-11-1988, शुद्धि-पत्र अधिसूचना 266 (अ) दिनांक 22-2-1990 तथा का. आ. 667 दिनांक 21-2-1991 राजपत्र दिनांक 9-3-1991 के भाग II, खण्ड 3(ii) पृष्ठ 1137 में प्रकाशित।
(iii) वर्ग "ग" के सभी अन्य पद (सिविल लेखापरीक्षा कार्यालयों में वाणिज्यिक लेखापरीक्षा विंग में) वेतनमान-1, ग्रेड वेतन 2800 रुपये, 2400 रुपये, 2000 रुपये, 1900 रुपये अथवा उसके समकक्ष।	वरिष्ठ उप महालेखाकार/ उप महालेखाकार/समान पद (रैंक) के अधिकारी	वरिष्ठ उप महालेखाकार/ उप महालेखाकार/समान पद (रैंक) के अधिकारी	सम्पूर्ण	प्रधान महालेखाकार/ महालेखाकार श्रेणी के विभागाध्यक्ष या समान श्रेणी (रैंक) के अधिकारी	तदैव

## अनुभाग "ड"

## भाग III-सामान्य केन्द्रीय सेवाएँ, वर्ग "बहुकार्य कर्मचारी"

1	2	3	4	5	6
भारतीय लेखा एवं लेखापरीक्षा विभाग					
भारत के नियंत्रक-महालेखापरीक्षक का कार्यालय					
1. सभी वर्ग बहुकार्य कर्मचारी पद वेतनमान-1, ग्रेड वेतन 1800 रुपये अथवा उसके समकक्ष।	सहायक निदेशक/वरिष्ठ प्रशासनिक अधिकारी/ प्रशासनिक अधिकारी या समान पद (रैंक) के अधिकारी	सहायक निदेशक/वरिष्ठ प्रशासनिक अधिकारी/ प्रशासनिक अधिकारी या समान पद (रैंक) के अधिकारी	सम्पूर्ण	वरिष्ठ उपमहालेखाकार/ उप महालेखाकार रैंक के अधिकारी या समान पद (रैंक) के अधिकारी	तदैव
2. भारत के नियंत्रक-महालेखापरीक्षक अधीन सभी क्षेत्रीय कार्यालय (प्रशिक्षण संस्थाओं, वाणिज्यिक लेखापरीक्षा कार्यालयों तथा सिविल					

1	2	3	4	5	6
लेखापरीक्षा कार्यलयों के अधिनियम लेखापरीक्षा सभाग सहित।					
सभी वर्ग बहुकार्य कर्मचारी पद बेतनमान-1, ग्रेड बेतन 1800 रुपये अथवा उसके समकक्ष।	सहायक महालेखाकार/ वरिष्ठ लेखाधिकारी/ वरिष्ठ लेखा-परीक्षा अधिकारी/लेखाधिकारी/ लेखा-परीक्षा अधिकारी/ समान पद (रैंक) के अधिकारी	सहायक महालेखाकार/ वरिष्ठ लेखाधिकारी/ वरिष्ठ लेखा-परीक्षा अधिकारी/लेखाधिकारी/ लेखा-परीक्षा अधिकारी/ समान पद (रैंक) के अधिकारी	सम्पूर्ण	वरिष्ठ उपमहालेखाकार/उप महालेखाकार अथवा समान पद (रैंक) के अधिकारी	तत्सम

[फा. सं. सी-11021/1/2011-ईजी]

सुभाष चन्द, उप-सचिव

## MINISTRY OF FINANCE

(Department of Expenditure)

New Delhi, the 20th April, 2012

**S.O. 1527.**—In exercise of the powers conferred by sub-rule (2) of Rule 9, clause (b) of Sub-Rule (2) of rule 12 (1) of Rule 24 read with Rule 34 of Central Civil Service (Classification, Control and Appeal) Rules, 1965, the President after consultation with the Comptroller and Auditor General of India, hereby makes the following further amendments in the notification of the Government of India in the Ministry of Finance (Department of Expenditure) vide S.O. No. 2815, dated the 13th September, 1988, namely :—

In the said notification, for the Schedule, the following schedule shall be substituted :-

## COMPTROLLER AND AUDITOR GENERAL'S MANUAL OF STANDING ORDERS (ADMINISTRATIVE), VOL. II

## Section 'E'

## Powers under Central Civil Services (Classification, Control and Appeal) Rules, 1965—

## Part I-General Central Services—Group 'B'

Authority competent to impose penalties  
and penalties which it may impose (with  
reference to item numbers in rules 11 of  
CCS (CCA) Rules

Description of post	Appointing Authority	Authority	Penalties	Appellate Authority	Remarks/Authority
(1)	(2)	(3)	(4)	(5)	(6)
<b>Indian Audit and Accounts Department</b>					
<b>1. Office of the Comptroller and Auditor General of India</b>					
All Group B posts in Pay Band-3, Grade Pay of Rs. 5400, Pay Band-2, Grade Pay of Rs. 5400, Rs. 4800, Rs. 4600 or corresponding thereof.	Officer in the rank of Principal Accountant General or Accountant General or Officer of equivalent rank	Officer in the rank of Principal Accountant General or Accountant General or Officer of equivalent rank	All	Deputy Comptroller and Auditor General or Additional Deputy Comptroller and Auditor General	S.O. No. 2815 dated 13-9-1988 published in the Gazette dated 24-9-1988, Corrigendum S.O. No. 3349 dated 1-11-1988, Corrigendum noti- fication S.O. 266 (E)

(1)	(2)	(3)	(4)	(5)	(6)
					dated 22-2-1990 and S.O. 667 dated 21-2-1991 published in Gazette of India dated 9-3-1991 Part II, Section 3(ii) at page 1137
1. (A) All Group 'B' posts in PB-2 with Grade Pay Rs. 4200 or corresponding thereof.	Officer in the rank of Senior Deputy Accountant General or Deputy Accountant General or Officer of equivalent rank	Officer in the rank of Senior Deputy Accountant General or Deputy Accountant General or Officer of equivalent rank	All	Heads of Department in the rank of Principal Accountant General or Accountant General or Officer of equivalent rank	-do-
2. All field offices (including training institutions) Subordinate to the Comptroller and Auditor-General of India, other than Commercial Audit Wing in <u>Civil Audit Offices</u> .					
All Group B posts in Pay Band-3, Grade Pay of Rs. 5400, Pay Band-2, Grade Pay of Rs. 5400, Rs. 4800, Rs. 4600 or corresponding thereof.	Heads of Department in the rank of Principal Accountant General or Accountant General or Officer of equivalent rank.	Heads of Department in the rank of Principal Accountant General or Accountant General or Officer of equivalent rank.	All	Deputy Comptroller and Auditor-General or Additional Deputy Comptroller and Auditor General	-do-
2. (A) All Group B posts in PB-2 with Grade Pay Rs. 4200 or corresponding thereof.	Officer in the rank of Senior Deputy Accountant General or Deputy Accountant General or Officer of equivalent rank	Officer in the rank of Senior Deputy Accountant General or Deputy Accountant General or Officer of equivalent rank	All	Heads of Department in the rank of Principal Accountant General or Accountant General or Officer of equivalent rank	-do-
3. All Commercial Audit Offices and Commercial Audit Wings in Civil Audit Offices, subordinate to the Comptroller and Auditor General of India.					
All Group B posts in Pay Band-3, Grade Pay of Rs. 5400, Pay Band-2, Grade Pay of Rs. 5400, Rs. 4800, Rs. 4600 or corresponding thereof.	Officer in the rank of Principal Accountant General or Accountant General or Officer of equivalent rank in the office of the Comptroller and Auditor General of India	Heads of Department in the rank of Principal Accountant General or Accountant General or Officer of equivalent rank in the office of the Comptroller and Auditor General of India	All	Deputy Comptroller and Auditor General or Additional Deputy Comptroller and Auditor General	-do-

(1)	(2)	(3)	(4)	(5)	(6)
3 (A) All Group B posts in PB-2 with Grade Pay Rs. 4200 or corresponding thereof.	Officer in the rank of Senior Deputy Accountant General or Deputy Accountant General or Officer of equivalent rank	Officer in the rank of Senior Deputy Accountant General or Deputy Accountant General or Officer of equivalent rank	All	Heads of Department in the rank of Principal Accountant General or Accountant General or Officer of equivalent rank	-do-

## Part II-General Central Services-Group C

## Indian Audit and Accounts Department

## 1. Office of the Comptroller and Auditor General of India

All Group C posts in Pay Band-1, Grade Pay of Rs. 2800, Rs. 2400, Rs. 2000, Rs. 1900 or corresponding thereof.

Officer in the rank of Senior Deputy Accountant General or Deputy Accountant General or Officer of equivalent rank.

Officer in the rank of Senior Deputy Accountant General or Deputy Accountant General or Officer of equivalent rank.

All

Officer in the rank of Principal Accountant General or Accountant General or Officer of equivalent rank.

-do-

2. All field offices (including training institutions) Subordinate to the Comptroller and Auditor-General of India, other than Commercial Audit offices and Commercial Audit Wing in Civil Audit Offices.

All Group C posts in Pay Band-I, Grade Pay of Rs. 2800, Rs. 2400, Rs. 2000, Rs. 1900 or corresponding thereof.

Senior Deputy Accountant General or Deputy Accountant General or Officer of equivalent rank.

Senior Deputy Accountant General or Deputy Accountant General or Officer of equivalent rank.

All

Heads of Department in the rank of Principal Accountant General or Accountant General or Officer of equivalent rank.

-do-

3. All Commercial Audit Offices and Commercial Audit Wing in Civil Audit Offices, subordinate to the Comptroller and Auditor General of India

(i) Repealed

Repealed

Repealed

Repealed

Repealed

Repealed

(ii) All other Group 'C' posts (in Commercial Audit Offices) in Pay

Senior Deputy Accountant General or Deputy Accountant General or

Senior Deputy Accountant General or Deputy Accountant General or

All

Heads of Department in the rank of Principal Accountant General or

S.O. No. 2815 dated 13-9-1988 published in the Gazette dated

(1)	(2)	(3)	(4)	(5)	(6)
Band 1, Grade Pay of Rs. 2800, Rs. 2400, Rs. 2000, Rs. 1900 or corresponding thereof.	Officer of equivalent rank.	Officer of equivalent rank.		Accountant General or Officer of equivalent rank.	24-9-1988 corrigendum S.O. No. 3349 dated 1-11-1988, corrigendum notification S.O. 266 (E) dated 22-2-1990 and SO 667 dated 21-2-1991 published in Gazette of India dated 9-3-1991 Part II, Section 3(ii) at page 1137
(iii) All other Group C posts (in Commercial Audit Wing in Civil Audit Offices) in Pay Band 1, Grade Pay of Rs. 2800, Rs. 2400, Rs. 2000, Rs. 1900 or corresponding thereof	Senior Deputy Accountant General or Deputy Accountant General or Officer of equivalent rank.	Senior Deputy Accountant General or Deputy Accountant General or Officer of equivalent rank.	All	Heads of Department in the rank of Principal Accountant General or Accountant General or Officer of equivalent rank.	-do-

**Part III-General Central Services—"Multi Tasking Staff"**

**Indian Audit and Accounts Department**

**1. Office of the Comptroller and Auditor General of India**

Multi Tasking Staff in Pay Band-I, with Grade Pay of Rs. 1800 or corresponding thereof.	Assistant Director or Sr. Administrative Officer or Administrative Officer or Officer of equivalent rank.	Assistant Director or Sr. Administrative Officer or Administrative Officer or Officer of equivalent rank.	All	Officer in the rank of Senior Deputy Accountant General or Deputy Accountant General or Officer of equivalent rank.	-do-
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**2 All field Offices (including training institutions) Commercial Audit Offices and Commercial Audit Wing in Civil Audit Offices) subordinate to the Comptroller and Auditor General of India**

Multi Tasking Staff in Pay Band-I with Grade Pay of Rs. 1800 or corresponding thereof.	Assistant Accountant General or Sr. Accounts Officer or Sr. Audit Officer or Accounts Officer or Audit Officer or Officer of equivalent rank.	Assistant Accountant General or Sr. Accounts Officer or Sr. Audit Officer/Accounts Officer or Audit Officer or Officer of equivalent rank.	All	Senior Deputy Accountant General or Deputy Accountant General or Officer of equivalent rank.	-do-
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**विदेश मंत्रालय**

( सीपीवी प्रभाग )

नई दिल्ली, 4 अप्रैल, 2012

का.आ. 1528.—राजनयिक और कौंसलरी ऑफिसर (रापथ और फीस) के अधिनियम, 1948 (1948 का 41) की धारा 2 के खंड (क) के अनुसरण में, केंद्र सरकार एतद्वारा श्री विपन मल्होत्रा, सहायक और श्रीमति ए. ओ. फिलोमीणा, सहायकों को 4-4-2012 से भारत के उच्चायोग, वेलिंगटन, न्यूजीलैंड में सहायक कौंसलर अधिकारी के कर्तव्यों का पालन करने के लिए प्राधिकृत करती है।

[सं. टी. 4330/1/2006]

आर. के. पेरिन्डिया, अवर सचिव (कौंसलर)

**MINISTRY OF EXTERNAL AFFAIRS**

(CPV DIVISION)

New Delhi, the 4th April, 2012

S.O.1528.—In pursuance of the clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and fees) Act, 1948 (41 of 1948), the Central Government hereby authorize Shri Vipan Malhotra, Assistant, and Smt. A.O. Philomina, Assistant High Commission of India, Wellington, New Zealand to perform their duties of Assistant Consular Officers with effect from 4th April, 2012.

[No. T. 4330/1/2006]

R. K. PERINDIA, Under Secy. (Consular)

**सूचना और प्रसारण मंत्रालय**

नई दिल्ली, 9 मार्च, 2012

का.आ.1529.—इस मंत्रालय की दिनांक 6-3-2012 की समसंख्यक अधिसूचना के क्रम में तथा चलचित्र (प्रमाणन) नियम, 1983 के नियम 7 व 8 के साथ पठित चलचित्र अधिनियम, 1952 (1952 का 37) की धारा 5 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार केन्द्रीय फिल्म प्रमाणन बोर्ड के कोलकाता सलाहकार पैनल में निम्नलिखित व्यक्तियों को तत्काल प्रभाव से दो वर्षों की अवधि के लिए अथवा अगले आदेशों तक, जो भी पहले हो, अतिरिक्त सदस्यों के रूप में नियुक्त करती है।

क्रम सं. नाम

1. श्री शान्कु पांडा
2. सुश्री डोलासेन
3. सुश्री अनासुआ चौधरी
4. श्री प्रसन्नजीत चटर्जी
5. श्री जिशु सेनगुप्ता
6. श्रीमती संघ्या रॉय
7. श्री शिवाजी पांजा
8. श्री रीताब्रता भट्टाचार्य

9. श्री देबाशीष भट्टाचार्य
10. श्रीमती सुष्मिता भट्टाचार्य
11. श्रीमती जुने मालिया
12. श्रीमति रूपांजना मित्रा
13. श्रीमती मानली डे
14. श्री सोहम चक्रवर्ती
15. श्री भास्वर चटर्जी
16. श्री जॉय बैनर्जी
17. श्री रिजु विश्वास
18. श्री मृगान्का बैनर्जी
19. श्री चैतन्य जातुया
20. श्री मुजीबर रहमान मौला

[फा. सं. 809/8/2011-एफ(सी)]

निरूपमा कोत्रु, निदेशक (फिल्म)

**MINISTRY OF INFORMATION AND BROADCASTING**

New Delhi, the 9th March, 2012

S.O. 1529.—In continuation of this Ministry's Notification of even number, dated 6-3-2012 and in exercise of the powers conferred by sub-section (1) of Section 5 of the Cinematograph Act, 1952 (37 of 1952) read with rules 7 and 8 of the Cinematograph (Certification) Rules, 1983, the Central Government is pleased to appoint the following persons as additional members to the Kolkata Advisory panel of the Central Board of Film Certification with immediate effect for a period of two years or until further orders, whichever is earlier.

S. No. Name

1. Shri Shanku Panda
2. Ms. Dolasen
3. Ms. Anasua Choudhury
4. Shri Prosenjit Chatterjee
5. Shri Jishu Sengupta
6. Mrs. Sandhya Roy
7. Shri Sibaji Panja
8. Shri Ritabrata Bhattacharya
9. Shri Debasish Bhattacharya
10. Smt. Susmita Bhattacharya
11. Mrs. June Malia
12. Mrs. Rupanjana Mitra
13. Mrs. Manali Dey
14. Shri Soham Chakraborty
15. Shri Bhaswar Chatterjee
16. Shri Joy Banerjee
17. Shri Rizu Biswas
18. Shri Mriganka Banerjee
19. Shri Chaitanya Jatua
20. Shri Muzibar Rahaman Molla

[F. No. 809/8/2011-F(C)]

NIRUPAMA KOTRU, Director (Films)

## स्वास्थ्य एवं परिवार कल्याण मंत्रालय

( स्वास्थ्य एवं परिवार कल्याण विभाग )

नई दिल्ली, 21 मार्च, 2012

**का.अ. 1536:**—केन्द्र सरकार, भारतीय चिकित्सा परिषद् अधिनियम, 1956 (1956 का 102) की धारा 11 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय आयुर्विज्ञान परिषद् से परामर्श करने के बाद अर्हता की नामावली में परिवर्तन के कारण उक्त अधिनियम की प्रथम अनुसूची में निम्नलिखित और संशोधन करती है अर्थात् :—

उक्त अनुसूची में—

(क) “पुडुचेरी विश्वविद्यालय, के समक्ष शीर्षक” ‘मान्यता प्राप्त चिकित्सा अर्हता’ (इसके बाद कालम (2) के रूप में संदर्भित) के अन्तर्गत शीर्षक “पंजीकरण के लिए संक्षेपण” [इसके बाद कालम (3) के रूप में संदर्भित] के अंतर्गत अंतिम प्रविष्टि एवं उससे संबंधित प्रविष्टि के बाद निम्नलिखित को अंतःस्थापित किया जाएगा नामतः

(2)	(3)
“मजिस्ट्राट ऑफ चिरुर्गि (फरिदकोट के समक्ष शीर्षक एवं वेसकुलर सर्जरी)”	एमसीएच (सीटीवीएस)
	(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी जब यह जवाहरलाल इंस्टीट्यूट ऑफ पोस्ट ग्रेजुएट मेडिकल एजुकेशन एंड रिसर्च पुडुचेरी में प्रशिक्षित किए जा रहे विद्यार्थियों के बारे में पुडुचेरी विश्वविद्यालय, द्वारा प्रदान की गई हो)।
“डॉक्टर ऑफ मेडिसिन (ट्यूबरकुलोसिस एंड चेस्ट/रेस्पिरेटरी डिसिसेज)”	एमडी (ट्यूबरकुलोसिस एंड चेस्ट/रेस्पिरेटरी डिसिसेज)
	(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी जब यह जवाहरलाल इंस्टीट्यूट ऑफ पोस्ट ग्रेजुएट मेडिकल एजुकेशन एंड रिसर्च पुडुचेरी में प्रशिक्षित किए जा रहे विद्यार्थियों के बारे में पुडुचेरी विश्वविद्यालय, द्वारा प्रदान की गई हो)।
(ख) “बाबा फरीद स्वास्थ्य विज्ञान विश्वविद्यालय, फरीदकोट के समक्ष शीर्षक” ‘मान्यताप्राप्त चिकित्सा अर्हता’ [इसके बाद कालम (2) के रूप में संदर्भित] के अन्तर्गत शीर्षक “पंजीकरण के लिए संक्षेपण” [इसके बाद कालम (3) के रूप में संदर्भित] के अंतर्गत अंतिम प्रविष्टि एवं उससे संबंधित प्रविष्टि के बाद निम्नलिखित को अंतःस्थापित किया जाएगा नामतः	
“डिप्लोमा इन मेडिकल रेडियोलॉजी”	डी एम आर टी
	(यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी जब यह क्रिश्चियन मेडिकल कालेज लुधियाना में प्रशिक्षित विद्यार्थियों के बारे में बाबा फरीद स्वास्थ्य विज्ञान विश्वविद्यालय, फरीदकोट द्वारा वर्ष 1983 में अथवा उसके बाद प्रदान की गई हो)।

सभी के लिए टिप्पणी :

1. स्नातकोत्तर पाठ्यक्रम को प्रदान की गई ऐसी मान्यता की अधिकतम अवधि 5 वर्षों के लिए होगी जिसके उपरान्त इसका नवीकरण कराना होगा।
2. मान्यता को उप-खंड 4 की आवश्यकता के अनुसार समय पर नवीकरण न कराए जाने पर संबंधित स्नातकोत्तर पाठ्यक्रम में प्रवेश निरपवाद रूप से बंद हो जाएंगे।

[सं. यू. 12012/12/2012-एमई (पी-II)]

अनिता त्रिपाठी, अवर सचिव

## MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health and Family Welfare)

New Delhi, the 21st March, 2012

S. O. 1530.—In exercise of the powers conferred by sub-section (2) of the Section 11 of the Indian Medical Council, Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, due to change of nomenclature of the qualification namely :—

In the said Schedule—

- (a) against “Pondicherry University” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely :—

(2)	(3)
“Magistrar of Chirurgiae (Cardio Thoracic & Vascular Surgery)”	M. Ch (CTVS)
	(This shall be a recognised medical qualification when granted by Pondicherry University in respect of students being trained at Jawaharlal Institute of Postgraduate Medical Education & Research, Puducherry)
“Doctor of Medicine (Tuberculosis & Chest/Respiratory Diseases)”	MD (TB & Chest/Respiratory Diseases)
	(This shall be a recognised medical qualification when granted by Pondicherry University in respect of students being trained at Jawaharlal Institute of Postgraduate Medical Education & Research, Puducherry)
(b) against “Baba Farid University of Health Sciences, Faridkot” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely :—	
“Diploma in Medical Radio Therapy”	DMRT
	(This shall be a recognised medical qualification when granted by Baba Farid University of Health Sciences, Faridkot in respect of students being trained at Christian Medical College, Ludhiana on or after 1983).

- Note to all : 1. The recognition so granted to a Postgraduate Course shall be for a maximum period of 5 years, upon which it shall have to be renewed.
2. Failure to seek timely renewal of recognition as required in sub-clause-4 shall invariably result in stoppage of admissions to the concerned Postgraduate Course.

[No. U-12012/12/2012-ME(P. II)]  
ANITA TRIPATHI, Under Secy.

**सांख्यिकी और कार्यक्रम कार्यान्वयन मंत्रालय**

नई दिल्ली, 19 अप्रैल, 2012

**का.आ.1531.**—केंद्र सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 (यथा संशोधित 1987) के नियम 10 के उप नियम (4) के अनुसरण में, सांख्यिकी और कार्यक्रम कार्यान्वयन मंत्रालय के अधीन क्षेत्र संकार्य प्रभाग, राष्ट्रीय प्रतिदर्श सर्वेक्षण कार्यालय के उप क्षेत्रीय कार्यालय, सिलीगुड़ी को, जिसके 80 प्रतिशत कर्मचारियों ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, भारत के राजपत्र में अधिसूचित करती है।

[सं. ई-11011/2/2006-हिंदी]

अरविन्द कुमार, संयुक्त सचिव

**MINISTRY OF STATISTICS AND PROGRAMME IMPLEMENTATION**

New Delhi, the 19th April, 2012

**S. O.1531.**—In pursuance of sub rule (4) of Rule 10 of the Official Language (use for official purposes of the Union) Rules, 1976 (as amended—1987), the Central Government hereby notify the Sub-Regional Office, Siliguri of Field Operation Division, NSSO under the Ministry of Statistics and programme Implementation in the Gazette of India where 80 percent of the staff has acquired the working knowledge of Hindi.

[No. E-11011/2/2006-Hindi]

ARVIND KUMAR, Jt. Secy.

**कारपोरेट कार्य मंत्रालय**

नई दिल्ली, 23 अप्रैल, 2012

**का.आ.1532.**—केंद्र सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में, कारपोरेट कार्य मंत्रालय के अंतर्गत कम्पनी रजिस्ट्रार कार्यालय, चंडीगढ़, जिसके न्यूनतम 80 प्रतिशत कर्मचारियों ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को अधिसूचित करती है।

[सं. ई-11016/1/2010-हिन्दी]

जे. एस. गुप्ता, अवर सचिव

**MINISTRY OF CORPORATE AFFAIRS**

New Delhi, the 23rd April, 2012

**S. O.1532.**—In pursuance of sub-rule (4) of Rule 10 of the Official Language (use for Official Purposes of the Union) Rules, 1976 the Central Government hereby notify the office of the Registrar of Companies, Chandigarh as 80% of its staff have acquired working knowledge of Hindi.

[No. E-11016/1/2010-Hindi]

J. S. GUPTA, Under Secy.

## उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

( उपभोक्ता मामले विभाग )

नई दिल्ली, 7 फरवरी, 2012

**का.आ.1533.**—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा ;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स वराडे आटोमेशन सोल्यूशन प्रा.लि., 14, धाडगे एस्टेट, सर्वे नं. 14, गांव नान्देड, सिंहगाड रोड, पुणे 411041 द्वारा विनिर्मित यथार्थता वर्ग-X (x) जहां  $x=1$  वाले “एफडब्ल्यू” शृंखला के स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण के मॉडल का, जिसके ब्रांड का नाम “ऑप्टी व्हे” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/479 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है ।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण है । इसकी अधिकतम क्षमता 30 कि.ग्रा. न्यूनतम क्षमता 10 कि.ग्रा. और ‘डी’ वेल्यू 5 ग्रा. के साथ उत्पाद की मात्रा और प्रकृति पर निर्भर करते हुए इसकी न्यूनतम बारम्बारता 5 फिल्स प्रति मिनट और अधिकतम बारम्बारता 30 फिल्स प्रति मिनट है । प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है । उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है ।

आकृति-1

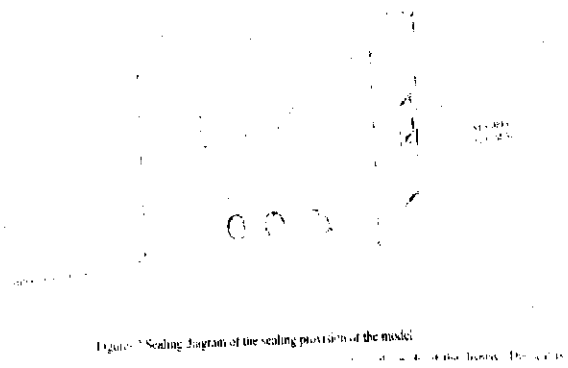
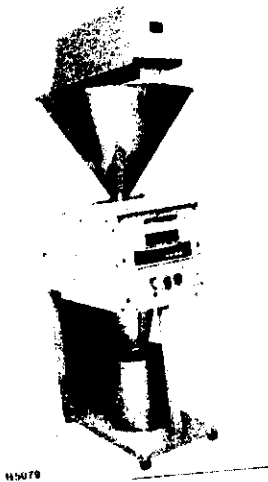


Figure 1 Sealing diagram of the sealing provision of the model

आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम ।

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है । सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है । मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है ।

उपकरण में बाहरी कलिब्रेशन तक पहुंच की सुविधा है । बाहरी कलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है ।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 100 कि.ग्रा. 5 फिल्स प्रति मिनट के साथ और न्यूनतम क्षमता 40 फिल्स प्रति मिनट है ।

[ फा. सं. डब्ल्यू एम-21(261)/2011 ]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

# **MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION**

**(Department of Consumer Affairs)**

New Delhi, the 7th February, 2012

**S.O.1533.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of automatic gravimetric filling instrument belonging to accuracy class, X (x) where  $x = 1$  of series "FW" and with brand name "OPTI WEIGH" (hereinafter referred to as the said model), manufactured by M/s. Warade Automation Solutions Private Limited, 14, Dhadge Estate, Survey No. 14, Nanded Village, Sinhgad Road, Pune-411041 and which is assigned the approval mark IND/09/11/479;

The said model is a strain gauge type load cell based automatic gravimetric filling instrument. It has maximum capacity of 30kg. minimum capacity of 10kg. and least scale interval (d) value of 5g. with minimum fills 5 per minute and maximum fills 30 fills per minute depending upon the quantity and nature of the product. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1 Model

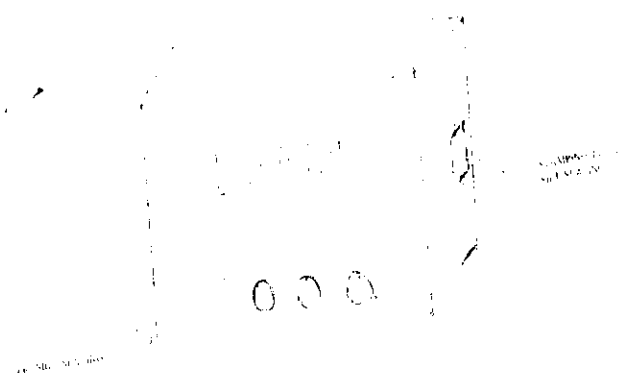
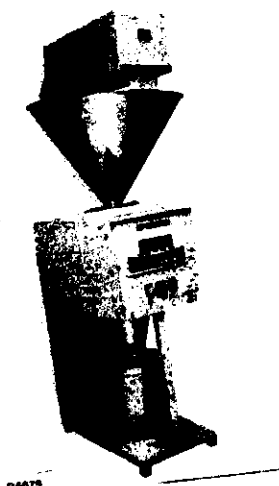


Figure-2 Sealing diagram of the sealing provision of the model

Figure-2 Sealing Diagram of sealing provision of the model.

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided on mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 100 kg. with minimum fills 5 per minute and maximum fills 40 fills per minute manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No.WM-21(261)/2011]

B. N. DIXIT, Director of Legal Metrology

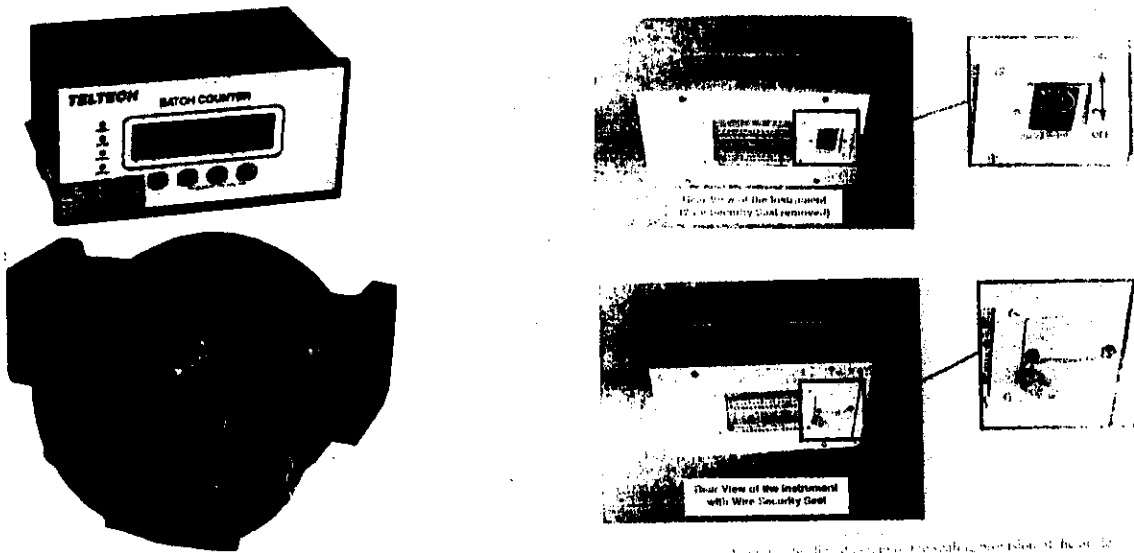
नई दिल्ली, 7 फरवरी, 2012

**का.आ.1534.**—केन्द्रीय सरकार का क्षेत्रीय निर्देश मानक प्रयोगशाला, बंगलूर द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा ;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स टेलटेक इंस्ट्रुमेंटेशन प्रा.लि., 28/4-बी, खरादी, आफ नगर रोड, पुणे-411014 द्वारा विनिर्मित पानी के अलावा अन्य द्रव्य मापन सिस्टम-पाइप लाइन पर मापन सिस्टम (कन्वर्सन के लिए इलेक्ट्रॉनिक इंडीकेटिंग डिवाइस (मकैनिकल से इलेक्ट्रॉनिक) पोजीटिव डिस्प्लेसमेंट (पीडी) फ्लो मीटर) सहित यथार्थता वर्ग '0.3' (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) "टी एल" सीरिज जिसके ब्रांड का नाम "टेलटेक" है और जिसे अनुमोदन चिह्न आई एन डी/09/11/411 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल कन्वर्सन के लिए (मकैनिकल से इलेक्ट्रॉनिक) एक इलेक्ट्रॉनिक इंडीकेटिंग डिवाइस है जो कि 38 एमएम आकार के पीडी टाईप फ्लो मीटर युक्त है, इसकी न्यूनतम फ्लो दर 35 लीटर प्रति मिनट और अधिकतम फ्लो दर 350 लीटर प्रति मिनट है। इसमें न्यूनतम एक मिनट का डिजिटल सूचक (लिक्विड क्रिस्टल डिस्प्ले) लगा हुआ है, अधिकतम 999999 लीटर (छः अंक) का घनत्व सूचक और अधिकतम कार्यशील दबाव 10.5 कि. ग्रा. प्रति वर्ग मीटर है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। और इसके कार्य के तापमान की रेंज-10° सें. ग्रेड से 50° सें. ग्रेड है।

आकृति-1



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

स्टाम्प और सील के स्थापन के लिए, इंडीकेटर के रियर साइड में कवर और ब्रेकिट में दो बोरेड स्कू करके, इन छेदों में से लीडिड सीलिंग वायर कसा जाता है। सील से छेड़छाड़ किए बिना उपकरण को खोला नहीं जा सकता। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए मदर बोर्ड में डिप स्विच भी दिया गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जिनकी साइज 76 एमएम, न्यूनतम प्रवाह दर 136 लीटर प्रति मिनट और अधिकतम प्रवाह दर 1364 लीटर प्रति मिनट तक की होगी।

[फा. सं. डब्ल्यू एम-21(186)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 7th February, 2012

**S.O.1534.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of model of measuring systems for liquids other than waater-measuring systems on pipeline (electronic indicating device for conversion (mechanical to electronic) of positive displacement (PD) type flow meter) with accuracy class "0.3" (hereinafter referred to as said model) of series "TL" and brand name "TELTECH" (hereinafter referred to as the said model), manufactured by M/s. Teltech Instrumentation Private Limited, 28/4-B, Kharadi, Off Nagar Road, Pune-411014 and which is assigned the approval mark IND/09/11/411;

The said model is an electronic indicating device for conversion (mechanical to electronic) of PD type flow meter of size 38 mm, minimum flow rate of 35 litres per minute and maximum flow rate of 350 litres per minute. It has a digital indication (liquid crystal display) with smallest division of 1 litre, maximum volume indication of 999999 litres (up to six digits) and maximum working pressure of 10.5 kg. per square cm. The instrument operates on 230 Volts, 50 Hertz alternative current power supply and working temperature range is  $-10^{\circ}\text{C}$  to  $50^{\circ}\text{C}$

Figure-1 Model

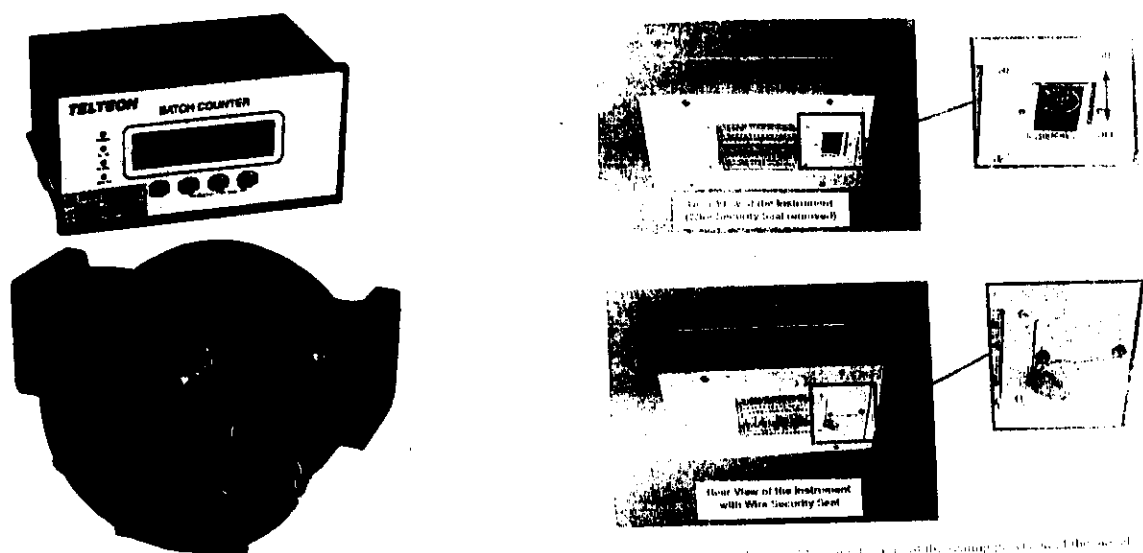


Figure-2 : Schematic Diagram of sealing provision of the model.

On the rear side of the indicator, a leaded sealing wire is fastened through two bored screws, passing over the cover and bracket, for receiving the verification stamp and seal. The indicator can not be opened without tampering the seal. A dip switch has also been provided in mother board to disable access to external calibration and to adjustment in meter calibration factor. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with 76 mm size minimum flow rate of 136 litres per minute and maximum flow rate of 1364 litres per minute, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[ F.No.WM-21(186)/2011 ]

B. N. DIXIT, Director of Legal Metrology



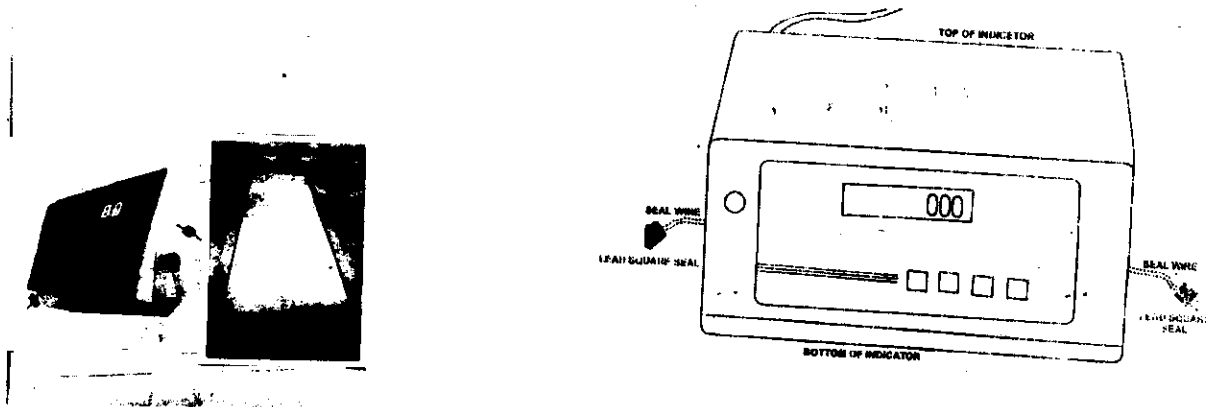
नई दिल्ली, 9 फरवरी, 2012

**का.आ.1535.**—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स इगल स्केल मैन्युफैक्चरिंग वर्क्स, प्लॉट नं. 140/141 इंडस्ट्रियल एस्टेट, नोबल नगर के सामने, पी.ओ. सरदार नगर, अहमदाबाद-382475, गुजरात द्वारा विनिर्मित यथार्थता वर्ग 0.5, वाले 'ईएसआरआईएम' शृंखला के अंकक सूचन सहित, 'स्वचालित रोड व्हीकल वेइंग इन मोशन' (एक्सल लोड वेइंग) तोलन उपकरण के माडल का, जिसके ब्रांड का नाम "फ्लाईंग इंगल" है (जिसे इसमें इसके पश्चात् उक्त माडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/504 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल विकृत गेज प्रकार का भार सैल आधारित 'स्वचालित रोड व्हीकल वेइंग इन मोशन' (एक्सल लोड वेइंग) तोलन उपकरण है। इसकी अधिकतम क्षमता 50 टन है और न्यूनतम क्षमता 500 कि.ग्रा. है। मापमान अंतराल (डी) 10 कि.ग्रा. है। चलते हुए वाहन के एक्सल का भार जो सभी भार सैलों द्वारा महसूस किया जाता है, को जोड़ा जाता है और सड़क के एक किनारे पर फिट किया गया जंक्सन बाक्स/कंट्रोलर के माध्यम से डिजिटल वेट इंडीकेटर में भरा जाता है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। इसकी अधिकतम प्रचालन स्पीड 22 कि.मी./घंटा और न्यूनतम प्रचालन स्पीड 3 कि.मी./घंटा है।

आकृति-1



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

बाड़ी के छेदों में से सीलिंग वायर निकाल कर सीलिंग की जाती है। माडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 1 टन से ऊपर और 200 टन के साथ स्केल अंतराल (डी)  $\leq 100$  कि.ग्रा. होगी।

[फा. सं. डब्ल्यू एम-21(263)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 9th February, 2012

**S.O.1535.**—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of “Automatic Road Vehicle Weighing In-Motion (Axle Load Weighing) with digital indication of accuracy class-0.5, of series “ESRIM” and with brand name “FLYING EAGLE” (hereinafter referred to as the said model), manufactured by M/s. Eagle Scale Manufacturing Works, Plot No.140/141 Industrial Estate, Opposite Noble Nagar, P.O. Sardar Nagar, Ahmedabad-382475, Gujarat and which is assigned the approval mark IND/09/11/504;

The said model is a strain gauge type load cell based “Automatic Road Vehicle Weighing In-Motion” (Axle Load Weighing) with a maximum capacity of 50 tonne and minimum capacity of 500 kg. The scale interval (d) is 10 kg. The Weighing of the axle of the vehicle in motion is sensed by all the load cells is summed up and fed to digital weight indicator through the junction box/controller fitted one side of the road. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply. Its maximum operating speed is 22 km/hr and minimum operating speed is 3 km/hr.

Figure-1 Model

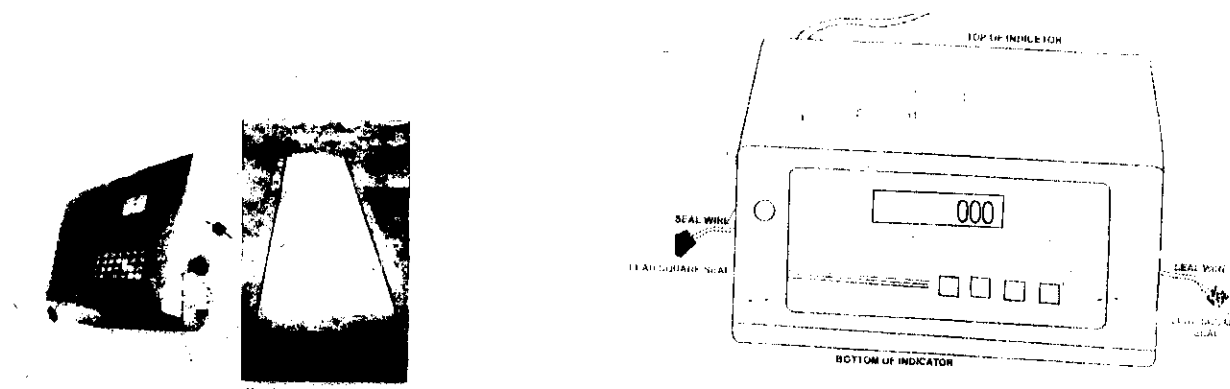


Figure-2 : Schematic Diagram of sealing provision of the model.

Sealing is done by passing the sealing wire from the body through holes. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacity in the range of 1 tonne to 200 tonne with scale interval (d)  $\leq 100$  kg. manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[ F.No.WM-21(263)/2011 ]

B. N. DIXIT, Director of Legal Metrology

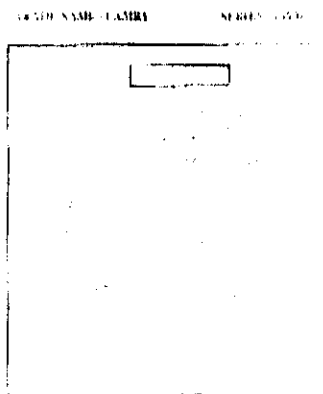
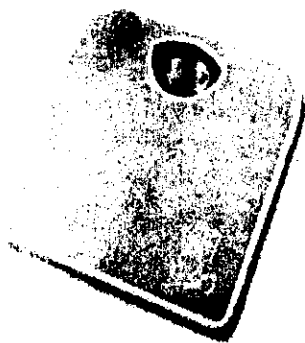
नई दिल्ली, 10 फरवरी, 2012

का.आ.1536.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) द्वारा शक्तियों को प्रयोग करते हुए मैसर्स पेंटालून रिटेल (इंडिया) लि., नॉलेज हाऊस, श्याम नगर, जोगेश्वरी (ई), मुंबई-400060 द्वारा विनिर्मित साधारण यथार्थता (यथार्थता वर्ग III) वाले "पीडब्ल्यूएम" शृंखला के अस्वचालित तोलन उपकरण (मेकेनिकल व्यक्ति तोलन मशीन) के मॉडल का, जिसके ब्रांड का नाम "सीएएमआरवाई" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/11/486 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल सिद्धांत पर आधारित अस्वचालित तोलन उपकरण (मेकेनिकल व्यक्ति तोलन मशीन) है। इसकी अधिकतम क्षमता 130 कि.ग्रा. है और न्यूनतम क्षमता 10 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 कि.ग्रा. है। अंशांकन स्केल पर दिया गया प्वांटर मापमान को सूचित करता है।

आकृति



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

उपकरण की बाड़ी पर दिए गए छेदों में से लीड और सील वायर लगाकर सील किया जा सकता है। कपटपूर्ण व्यवहार के लिए मशीन को खोले जाने से रोकने के लिए सीलिंग की जाती है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक. यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 100 से 1000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 200 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^*$ ,  $2 \times 10^*$ ,  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[ फा. सं. डब्ल्यू एम-21(271)/2011 ]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 10th February, 2012

**S.O.1536.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (mechanical person weighing machine) of ordinary accuracy (accuracy class-III) of series "PWM" and with brand name "CAMRY" (hereinafter referred to as the said model), manufactured by M/s. Pentagoon Retail (India) Limited, Knowledge House, Shyam Nagar, Jogeshwari (E), Mumbai-400060 which is assigned the approval mark IND/09/11/486.

The said model is the principal of spring based non-automatic weighing instrument (mechanical person weighing machine) with a maximum capacity of 130 kg. and minimum capacity of 10 kg. The verification scale interval (e) is 1kg. A pointer on the dial indicates the results of the measurement.

Figure-1 Model

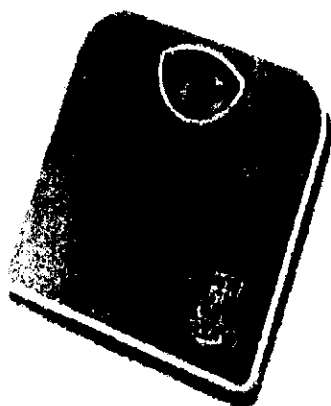


Figure-2 : Sealing diagram of sealing provision of the model.

Sealing can be done by applying lead and seal wire through the holes provided on the body of the instruments. Sealing shall be done to prevent opening of the weighing machine for fraudulent practice. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 200 kg. with verification scale interval (n) in the range of 100 to 1,000 for 'e' value of 5 g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No.WM-21(271):2011]

B. N. DIXIT, Director of Legal Metrology

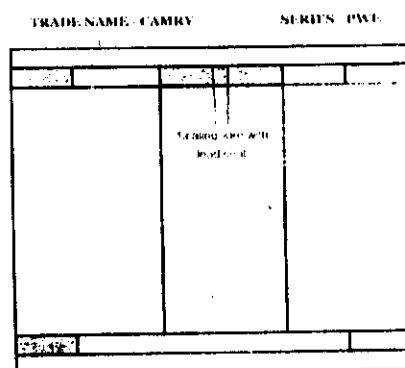
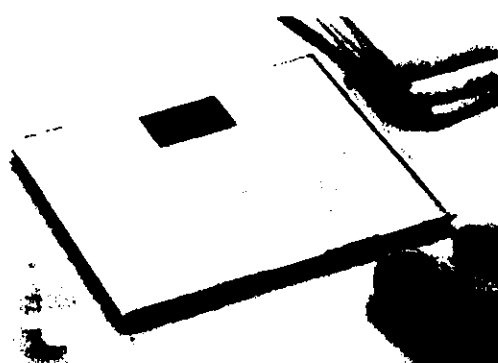
नई दिल्ली, 10 फरवरी, 2012

**का.आ.1537.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स पेंटालून रिटेल (इंडिया) लि., नॉलेज हाऊस, श्याम नगर, जोगेश्वरी (ई), मुंबई-400060 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "पीडब्ल्यूई" शृंखला के अस्वचालित तोलन उपकरण (व्यक्ति तोलन मशीन) के मॉडल का, जिसके ब्राण्ड का नाम "सीएएमआरवाई" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/500 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल स्प्रिंग सिद्धांत पर आधारित अस्वचालित तोलन उपकरण (व्यक्ति तोलन मशीन) है। इसकी अधिकतम क्षमता 150 कि.ग्रा. और न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। एलसीडी/एलईडी/वीएफडी प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 2x 1.5वीं डीसी (3वीं) एएए बैटरी पर कार्य करता है।

आकृति-1



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकालकर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 200 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^*$ ,  $2 \times 10^*$  या  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(271)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 10th February, 2012

**S.O.1537.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report(see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby publishes the certificate of approval of the model of non-automatic weighing instrument (Person weighing scale) with digital indication of medium accuracy (accuracy class-III) of series "PWE" and with brand name "CAMRY" ( hereinafter referred to as the said model), manufactured by M/s Pentagoon Retail (India) Limited, Knowledge House, Shyam Nagar, Jogeshwari (E), Mumbai-400060 and which is assigned the approval mark IND/09/11/500;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Person weighing scale) with a maximum capacity of 150kg. and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with a 100 percent subtractive retained tare effect. The LCD/LED/VFD display indicates the weighing result. The instrument operates on 2 x 1.5V DC (3V) AAA batteries.

Figure 1.

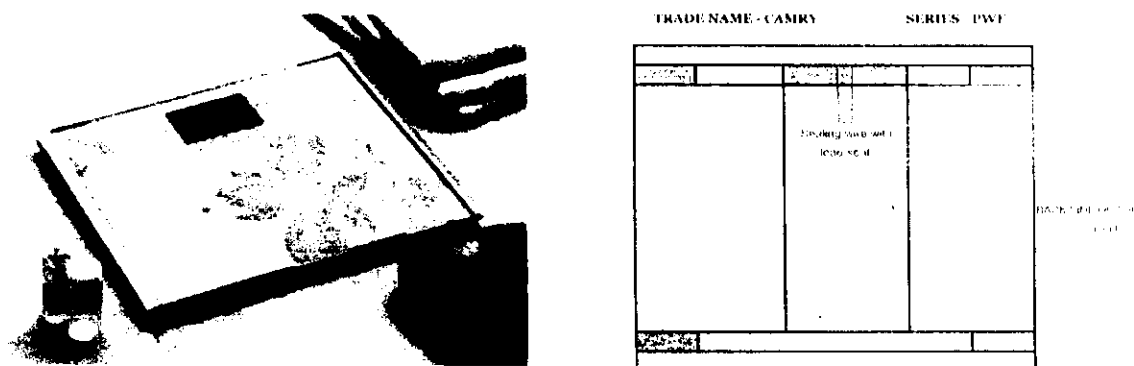


Figure 2 : Schematic Diagram of sealing provision of the model.

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011 the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 200kg. with verification scale interval (n) in the range of 100 to 10000 for 'e' value of 100mg. to 2g. and with verification scale interval (n) in the range of 500 to 10000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ;  $2 \times 10^k$  or  $5 \times 10^k$  where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (271)2011]

B. N. DIXIT, Director of Legal Metrology

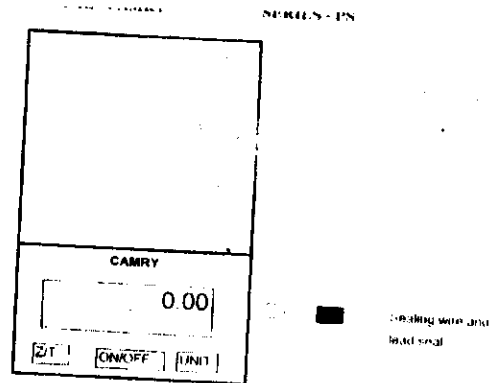
नई दिल्ली, 10 फरवरी, 2012

का.आ.1538.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स पेंडलून रिटेल (इंडिया) लि., नॉलेज हाकस, श्याम नगर, जोगेश्वरी (ई), मुंबई-400060 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "पीएस" शृंखला के अस्वचालित तोलन उपकरण (पॉकेट स्केल) के मॉडल का, जिसके ब्राण्ड का नाम "सीएमआरवाई" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/501 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (पॉकेट स्केल) है। इसकी अधिकतम क्षमता 100 ग्रा. और न्यूनतम क्षमता 0.2 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 0.01 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। एलसीडी/एलईडी/बीएफडी प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 2x 1.5वी डीसी (3वी) एएए बैटरी पर कार्य करता है।

आकृति-1



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकालकर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक है "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 500 ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^*$ ,  $2 \times 10^*$  या  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(271)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 10th February, 2012

**S.O.1538.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report(see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby publishes the certificate of approval of the model of non-automatic weighing instrument (Pocket Scale) with digital indication of medium accuracy (accuracy class-III) of series "PS" and with brand name "CAMRY" ( hereinafter referred to as the said model), manufactured by M/s Pentaloon Retail (India) Limited, Knowledge House, Shyam Nagar, Jogeshwari (E), Mumbai-400060 and which is assigned the approval mark IND/09/11/501;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Pocket Scale) with a maximum capacity of 100g. and minimum capacity of 0.2g. The verification scale interval (e) is 0.01g. It has a tare device with a 100 percent subtractive retained tare effect. The LCD/LED/VFD display indicates the weighing result. The instrument operates on 2 x 1.5V DC (3V) AAA batteries.

Figure 1.

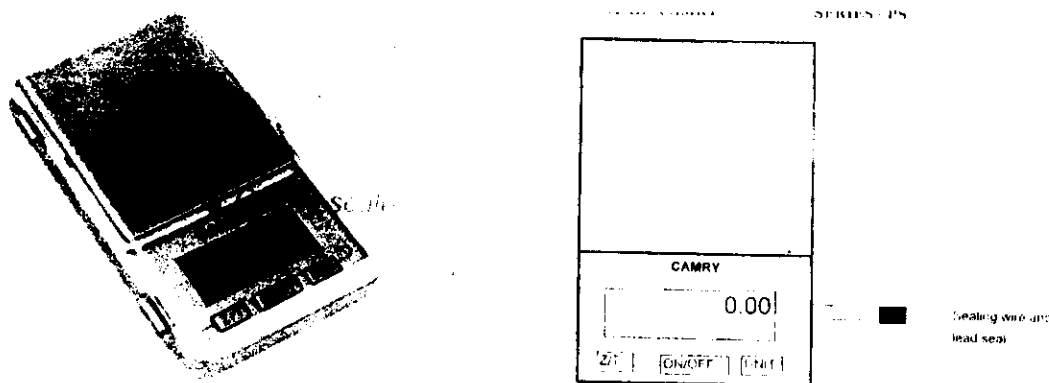


Figure 2 : Schematic Diagram of sealing provision of the model.

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011 the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 500kg. with verification scale interval (n) in the range of 100 to 10000 for 'e' value of 100mg. to 2g. and with verification scale interval (n) in the range of 500 to 10000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$  where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (271)/2011]

B. N. DIXIT, Director of Legal Metrology



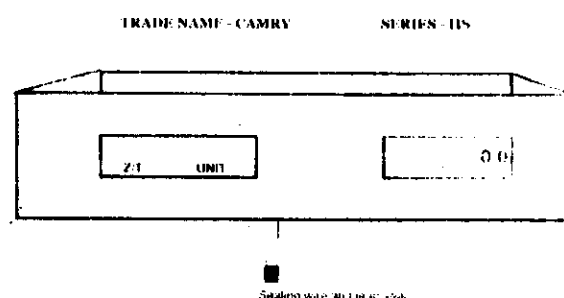
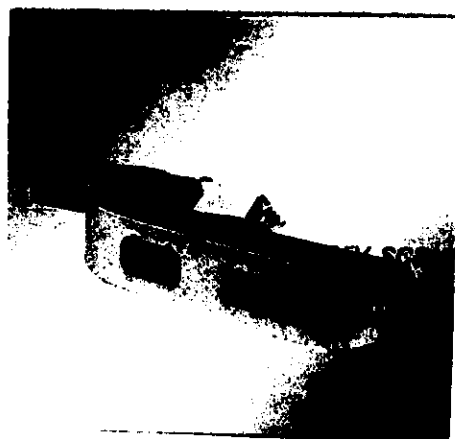
नई दिल्ली, 10 फरवरी, 2012

का.आ.1539.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स पेंटालून रिटेल (इंडिया) लि., नॉलेज हाऊस, श्याम नगर, जोगेश्वरी (ई), मुंबई-400060 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एचएस" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (हैंगिंग स्केल) के मॉडल का, जिसके ब्राण्ड का नाम "सीएमआरवाई" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/502 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (हैंगिंग स्केल) है। इसकी अधिकतम क्षमता 50 कि.ग्रा. और न्यूनतम क्षमता 0.2 कि.ग्रा. है। सत्यापन मापमान अन्तराल (ई) 10 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। एलसीडी/एलईडी/वीएफडी प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 2x 1.5वी डीसी (3वी) एएए बैटरी पर कार्य करता है।

आकृति-1



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकालकर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^*$ ,  $2 \times 10^*$  या  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(271)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 10th February, 2012

**S.O.1539.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report(see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of Rule 8 and sub-rule (4) of Rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby publishes the certificate of approval of the model of non-automatic weighing instrument (Hanging scale) with digital indication of medium accuracy (accuracy class-III) of series "HS" and with brand name "CAMRY" (hereinafter referred to as the said model), manufactured by M/s Pentaloan Retail (India) Limited, Knowledge House, Shyam Nagar, Jogeshwari (E), Mumbai-400060 and which is assigned the approval mark IND/09/11/502;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Hanging Scale) with a maximum capacity of 50kg. and minimum capacity of 0.2 kg. The verification scale interval (e) is 10g. It has a tare device with a 100 percent subtractive retained tare effect. The LCD/LED/VFD display indicates the weighing result. The instrument operates on 2 x 1.5V DC (3V) AAA batteries.

Figure 1.

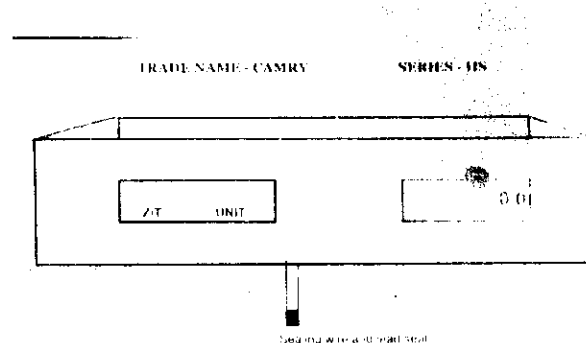
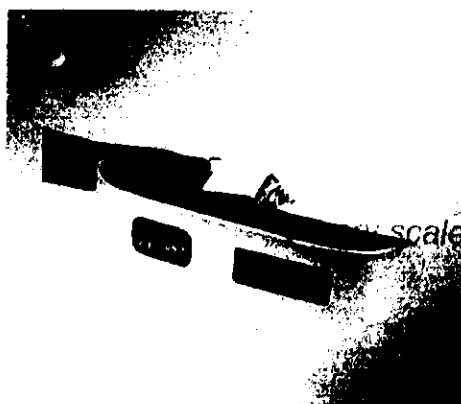


Figure 2 : Schematic Diagram of sealing provision of the model.

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of Rule 8 of the Legal Metrology (Approval of Models) Rules, 2011 the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50kg. with verification scale interval (n) in the range of 100 to 10000 for 'e' value of 100mg. to 2g. and with verification scale interval (n) in the range of 500 to 10000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$  where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (271)/2011]

B. N. DIXIT, Director of Legal Metrology

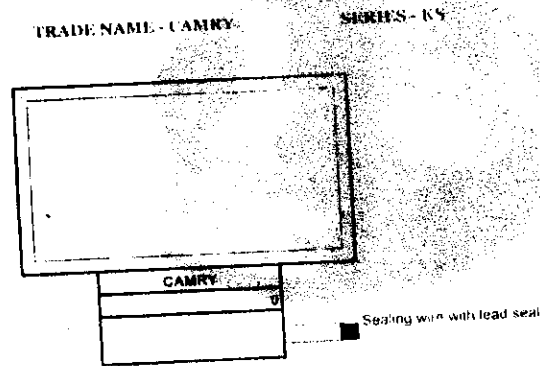
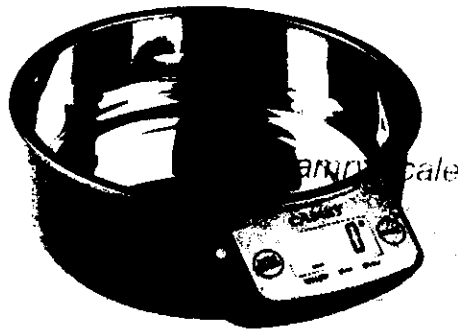
नई दिल्ली, 10 फरवरी, 2012

**का.आ.1540.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स पेंडलून रिटेल (इंडिया) लि., नॉलेज हाऊस, श्याम नगर, जोगेश्वरी (ई), मुंबई-400060 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “केएस” श्रृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (किचन स्केल) के मॉडल का, जिसके ब्राण्ड का नाम “सीएएमआरवाई” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/503 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (किचन स्केल) है। इसकी अधिकतम क्षमता 5 कि.ग्रा. और न्यूनतम क्षमता 20 ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। एलसीडी/एलईडी/वीएफडी प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 2×1.5वी डीसी (3वी) एए बैटरी पर कार्य करता है।

आकृति-1



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

डिस्पले की बाड़ी में से सीलिंग वायर निकालकर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकालकर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक है “ई” मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 10 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान  $1 \times 10^*$ ,  $2 \times 10^*$ ,  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(271)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 10th February, 2012

**S.O.1540.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby publishes the certificate of approval of the model of non-automatic weighing instrument (Kitchen scale) with digital indication of medium accuracy (accuracy class-III) of series "KS" and with brand name "CAMRY" (hereinafter referred to as the said model), manufactured by M/s Pentagoon Retail (India) Limited, Knowledge House, Shyam Nagar, Jogeshwari (E), Mumbai-400060 and which is assigned the approval mark IND/09/11/503;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Kitchen Scale) with a maximum capacity of 5 kg. and minimum capacity of 20g. The verification scale interval (e) is 1g. It has a tare device with a 100 per cent subtractive retained tare effect. The LCD/LED/VFD display indicates the weighing result. The instrument operates on  $2 \times 1.5V$  DC (3V) AAA batteries.

Figure 1.

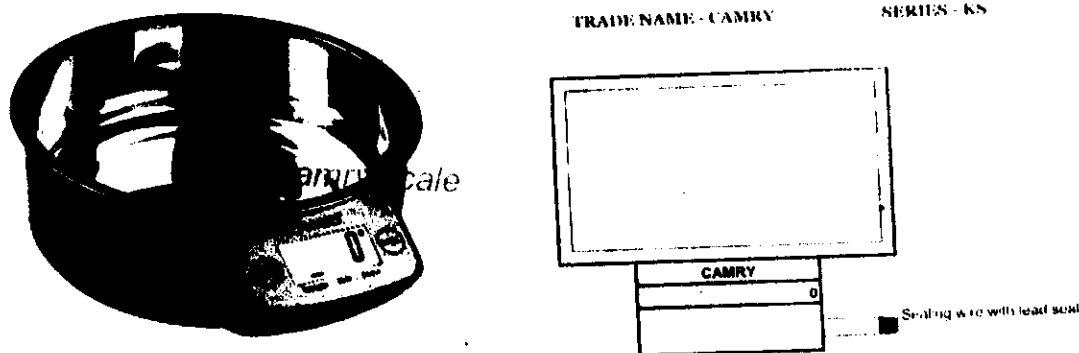


Figure 2 : Schematic Diagram of sealing provision of the model.

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of Rule 8 of the Legal Metrology (Approval of Models) Rules, 2011 the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacity upto 10kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg. to 2g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$  where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (271)/2011]

B. N. DIXIT, Director of Legal Metrology

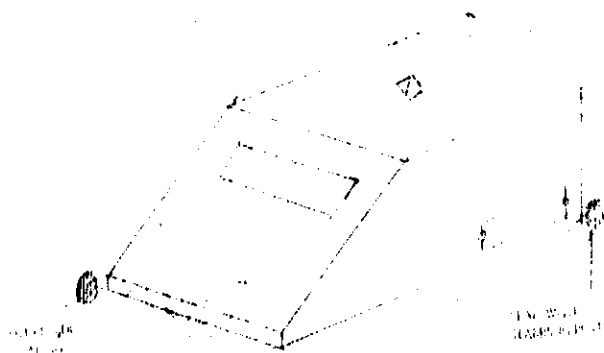
नई दिल्ली, 10 फरवरी, 2012

**क्र.आ.1541.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स बाला स्केल इंडस्ट्रीज, दाबा रोड, आईटीआई शिमला पुरी के सामने लुधियाना, पंजाब द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “बीएसआईटीटी-301” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप टाइप) के मॉडल का, जिसके ब्राण्ड का नाम “सत्यम” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/439 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टॉप टाइप) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्राकश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

डिस्पले की बाड़ी में से सीलिंग वायर निकालकर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकालकर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक के “ई” मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान  $1 \times 10^*$ ,  $2 \times 10^*$ ,  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(250)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 10th February, 2012

**S.O.1541.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby publishes the certificate of approval of the model of non-automatic weighing instrument (Table Top type) with digital indication of medium accuracy (accuracy class-III) of series "BSITT-30" and with brand name "SATYAM" (hereinafter referred to as the said model), manufactured by M/s Bala Scale Industries, Daba Road, Opposite ITI Shimla Puri, Ludhiana, Punjab and which is assigned the approval mark IND/09/11/439;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top type) with a maximum capacity of 30 kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure 1.

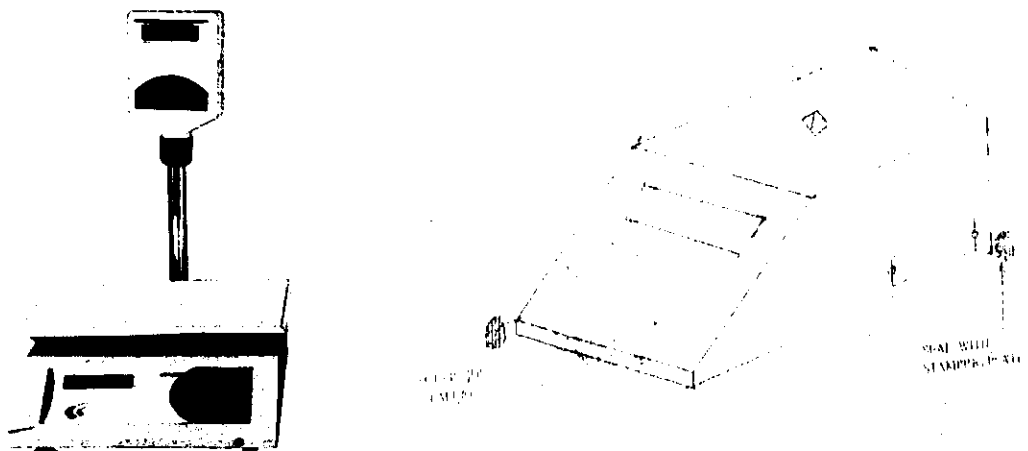


Figure 2 Schematic Diagram of sealing provision of the model.

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg. to 2g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$  where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (250)/2011]

B. N. DIXIT, Director of Legal Metrology

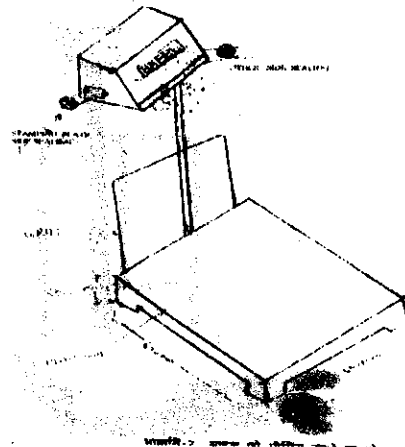
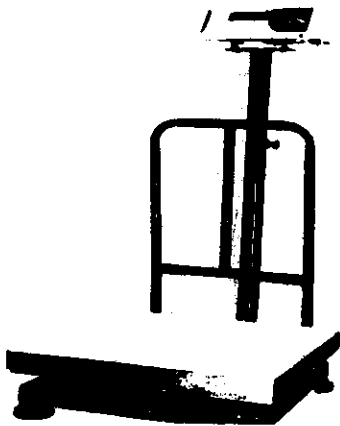
नई दिल्ली, 10 फरवरी, 2012

का.आ.1542.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उच्चयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स बाला स्केल इंडस्ट्रीज, दाबा रोड, आईटीआई शिमला पुरी के सामने, लुधियाना, पंजाब द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "बीएसआईटीपी-200" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम "सत्यम" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/440 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 200 कि.ग्रा. और न्यूनतम क्षमता 1 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 20 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति



आकृति -2: मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

डिस्पले की बाड़ी में से सीलिंग वायर निकालकर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकालकर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^{\circ}$ ,  $2 \times 10^{\circ}$  या  $5 \times 10^{\circ}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[ फा. सं. डब्ल्यू एम-21(250)/2011 ]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 10th February, 2012

**S.O. 1542.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of Medium Accuracy (Accuracy class-III) of Series "BSIPT-200" and with brand name "SATYAM" (hereinafter referred to as the said Model), manufactured by M/s Bala Scale Industries, Daba Road, Opposite ITI Shimla Puri, Ludhiana, Punjab and which is assigned the approval mark IND/09/11/440;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 200 kg. and minimum capacity of 1 kg. The verification scale interval (e) is 20g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

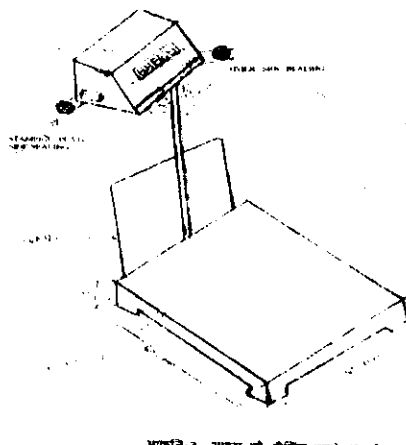
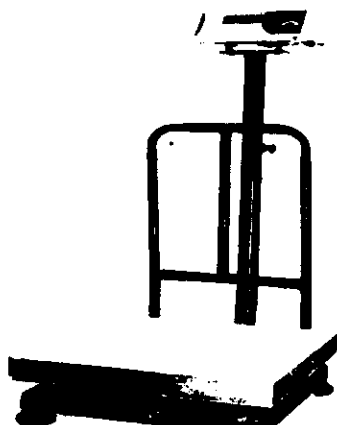


Figure-2 : Schematic diagram of sealing provision of the model.

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity above 50 kg. and up to 5000 kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F.No.WM-21(250)/2011]

B. N. DIXIT, Director of Legal Metrology



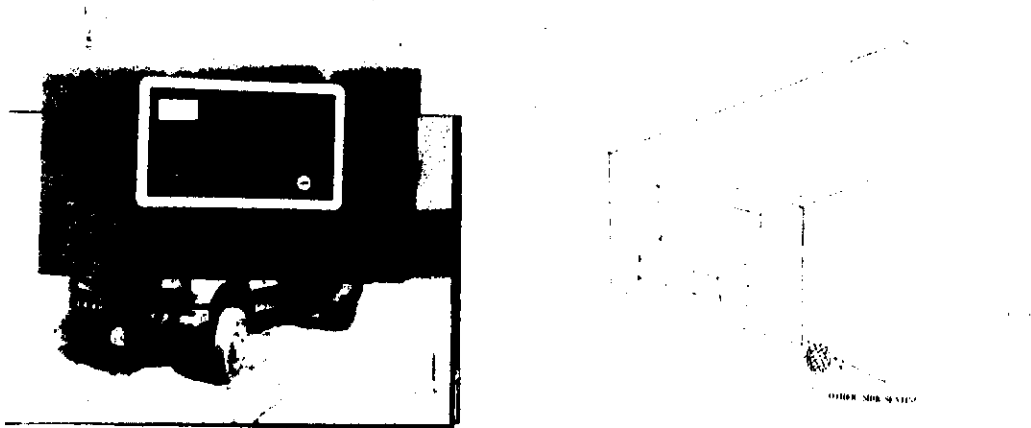
नई दिल्ली, 10 फरवरी, 2012

**का.आ.1543.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स बाला स्केल इंडस्ट्रीज, दाबा रोड, आईटीआई शिमला पुरी के सामने, लुधियाना, पंजाब द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "बीएसआईडब्ल्यूबी-30टी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक वेब्रिज) के मॉडल का, जिसके ब्रांड का नाम "सत्यम" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/441 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक वेब्रिज) है। इसकी अधिकतम क्षमता 30 टन और न्यूनतम क्षमता 100 कि.ग्रा. है। सत्यापन मापमान अन्तराल (ई) 5 कि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति



आकृति -2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अन्तराल (एन) सहित 5 टन से 200 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^6$ ,  $2 \times 10^6$  और  $5 \times 10^6$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[ फा. सं. डब्ल्यू एम-21(250)/2011 ]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 10th February, 2012

**S.O.1543.**—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (electronic weighbridge) with digital indication of Medium Accuracy (Accuracy class-III) of Series "BSIWB-30T" and with brand name "SATYAM" (hereinafter referred to as the said Model), manufactured by M/s Bala Scale Industries, Daba Road, Opposite ITI Shimla Puri, Ludhiana, Punjab and which is assigned the approval mark IND/09/11/441;

The said model is a strain gauge type load cell based non-automatic weighing instrument (electronic weighbridge) with a maximum capacity of 30 tonne and minimum capacity of 100 kg. The verification scale interval (e) is 5 kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

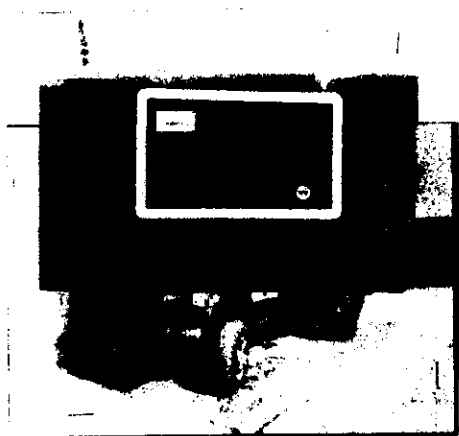


Figure-2 Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with above 5 tonne and up to 200 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[ F.No.WM-21(250)/2011 ]

B. N. DIXIT, Director of Legal Metrology

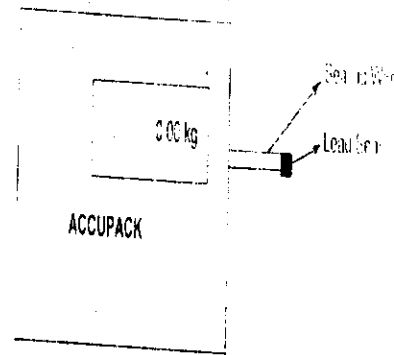
नई दिल्ली, 10 फरवरी, 2012

**का.आ.1544.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स आर. के. इंटरप्राइजिज, ईए-120, माया इन्क्लेव, नई दिल्ली-110064 द्वारा विनिर्मित यथार्थता वर्ग  $X(x)$  जहाँ  $x=1$  वाले "ईएनडब्ल्यू" शृंखला के स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण के मॉडल का, जिसके ब्रांड का नाम "एक्यूपैक" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/498 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण है। इसकी अधिकतम क्षमता 50 कि.ग्रा. है और सत्यापन मापमान अन्तराल (ई) 10 ग्रा. के साथ उत्पाद की मात्रा और प्रकृति पर निर्भर करते हुए इसकी बारम्बारता 6 से 10 फिल्स प्रति मिनट है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति -2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 5 कि.ग्रा. से ऊपर और 100 कि.ग्रा. तक है।

[फा. सं. डब्ल्यू एम-21(229)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 10th February, 2012

**S.O.1544.**—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of automatic gravimetric filling instrument belonging to accuracy class, X(x) where  $x=1$  of series "ENW" and with brand name "ACCUPACK" (hereinafter referred to as the said Model), manufactured by M/s R. K. Enterprises, EA-120, Maya Enclave, New Delhi-110064 and which is assigned the approval mark IND/09/11/498;

The said model is a strain gauge type load cell based automatic gravimetric filling instrument. It has maximum capacity of 50 kg. and verification scale interval (e) value of 10g with a frequency of 6 to 10 fills per minute depending upon the quantity and nature of the product. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1 Model

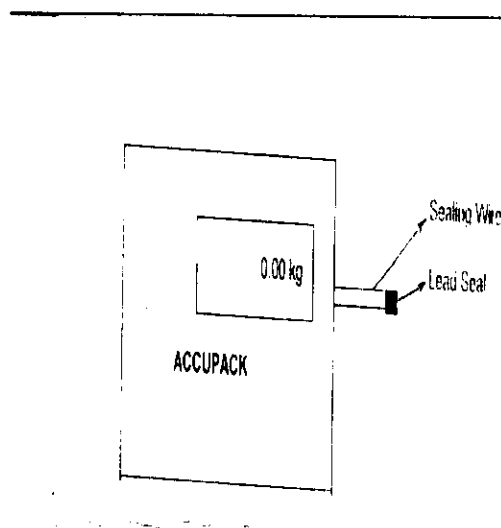


Figure-2 Schematic diagram of the sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 kg. and up to 100 kg. manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[ F. No.WM-21(229)/2011 ]

B. N. DIXIT, Director of Legal Metrology

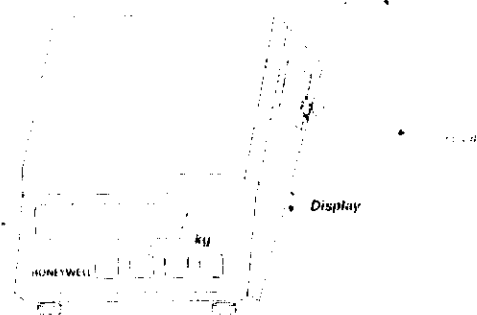
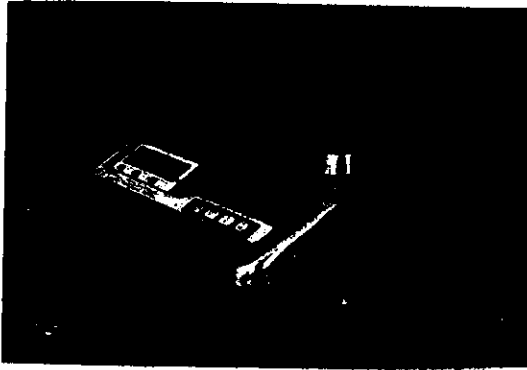
नई दिल्ली, 10 फरवरी, 2012

**का.आ.1545.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स होनीवैल इंजीनियर्स, 24/279, जवाहर नगर, ईसी आफिस के सामने, इंदिरा नगर के पास, अमरावडी, अहमदाबाद-26, गुजरात द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "एचई" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप टाइप) के मॉडल का, जिसके ब्रांड का नाम "होनीवैल" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/487 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टॉप टाइप) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति



#### आकृति -2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाडी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$  और  $5 \times 10^{-6}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[ फा. सं. डब्ल्यू एम-21(267)/2011 ]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 10th February, 2012

**S.O.1545.**—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of Medium Accuracy (Accuracy class-III) of Series "HE" and with brand name "HONEYWELL" (hereinafter referred to as the said Model), manufactured by M/s Honey well Engineers, 24/279, Jawahar Nagar, Opp. AEC Office, Near Indira Nagar, Amraiwadi, Ahmedabad-26, Gujarat and which is assigned the approval mark IND/09/11/487;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg. and minimum capacity of 100 g. The verification scale interval (e) is 5 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

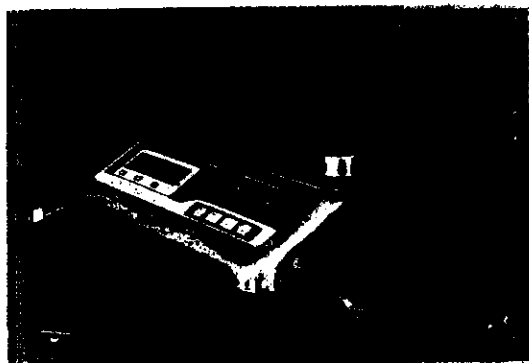


Figure-2 Schematic diagram of sealing provision of the model.

Sealing is done by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg. to 2g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[ F.No.WM-21(267)/2011]

B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 10 फरवरी, 2012

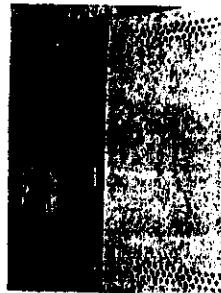
**का.आ.1546.**—केन्द्रीय सरकार का, एनएमआई सरटेन बी.वी. नीदरलैंड (ओआईएमएल) जारीकर्ता प्राधिकरण (एनएमआई) द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ओमनी फ्लो कम्प्यूटर्स आईएनसी. 12620, वैस्ट एयरपोर्ट, बडलेवर्ड, सूट 100, सुगर लैंड, टैक्सास, टीएक्स 77478, यूएसए द्वारा ओ आई एम एल आर 117-1 : 2007(ई) के अनुसरण में तरल मापने के लिए विनिर्मित इलेक्ट्रॉनिक गणक एवं सूचक यंत्र, यथाधता वर्ग 0.3 वाले "ओमनी फ्लो 6000" शृंखला के (पानी के अलावा अन्य द्रव्यों के लिए डायनेमिक मापन पद्धति) जिसके ब्रांड का नाम "ओमनी फ्लो कम्प्यूटर्स आईएनसी" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे मैसर्स एडवांसड सिस्टैक प्रा. लि. 299/300, जीआईडीसी, माकरपुरा, बडोदरा-390010, गुजरात भारत द्वारा बिक्री से पहले या बाद में बिना किसी परिवर्तन के भारत में विपणित किया गया और जिसे अनुमोदन चिह्न आई एन डी/13/11/477 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

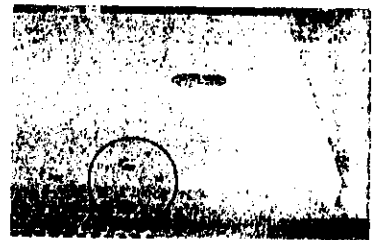
उक्त मॉडल एक इलेक्ट्रॉनिक गणनात्मक और सूचक यंत्र (पानी के अलावा किसी अन्य तरल पदार्थ के लिए मीटर) है जिसका प्रयोग, किसी एक मापक ट्रांसड्यूसर से मात्रा को दर्शाने वाले पल्ज सिगनल अथवा बड़े माप के प्रसंस्करण के एक भाग के रूप में किया जाता है। यह 22-28 डीसी/100-250 एसी वोल्टेज पावर सप्लाय पर  $+5^{\circ}$  से. से  $+40^{\circ}$  से. के नान कन्डेसिंग तापमान पर कार्य करता है।

इसकी विशेषता की शर्त यह है कि गणनात्मक और सूचक यंत्र के कस्टडी ट्रांसफर पैरामीटरों की बनावट इसके अनुरूप होनी चाहिए और प्रारंभिक स्थापन के समय स्पष्ट रूप से दर्शाया जाना चाहिए कि किस प्रोग्राम योग्य पैरामीटरों को बाट एवं माप पैरामीटर माना गया है। इन पैरामीटरों का चयन 'प्रोग्राम एनेबल' / 'प्रोग्राम लॉक' स्विचों को लगा कर संरक्षित किया गया है और 'प्रोग्राम लॉक' की स्थिति में इन संरक्षित पैरामीटरों को कम्प्युनिकेशन इंटरफेस द्वारा भी बदला जा सकता। किसी क्षेत्र में ओमनीफ्लो के स्थापन के दौरान, लागू बाट एवं माप पैरामीटरों की एक सूची उनके नम्बरों एवं मानों अथवा सेटिंग सहित फ्री प्रोग्राम योग्य रजिस्टर नाम से उपलब्ध कराई जाएगी रजिस्टर में बाट एवं माप पैरामीटरों और/अथवा मानों को सूची के रूप में दर्शाया जाएगा।

आकृति



Weights &amp; Measures switch



Location for sealing with a cap

### आकृति -2 मॉडल के सीलिंग प्रावधान का योजनाबद्ध डायग्राम

मॉडल के सीलिंग प्रावधान का योजनाबद्ध डायग्राम ऊपर दिया गया है जैसाकि चित्र में दिखाया गया है बाट तथा माप पैरामीटरों को अनाधिकृत रूप से खोलने से रोकने अथवा साफ्टवेयर सील को बदलने के लिए बाट तथा माप बटन को सीलिंग द्वारा सुरक्षा दी गई है। इस बटन को सीलिंग स्थिति में लगाने के बाद संलग्नकों को तार और सील से खोलने के विरुद्ध सील किया जाएगा।

[ फा. सं. डब्ल्यू एम-21(195)/2011 ]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 10th February, 2012

**S.O.1546.**—Whereas the Central Government, after considering the report submitted to it along with the model approval certificate issued by NMi Certin B.V., Netherland, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by the second proviso to Section 22 of the Legal Metrology Act, 2009 (1 of 2010) and sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby approves, issues and publishes the certificate of approval of the model of electronic calculating and indicating device for application in liquid measuring installation in accordance with OIML R117-1 : 2007 (E) (Dynamic measuring systems for liquids other than water) with brand name 'OMNI Flow Computers Inc.' and series 'OMNIFLOW 6000' having accuracy class 0.3 (hereinafter referred to as the said model), manufactured by M/s. OMNI Flow Computers Inc., 12620 West Airport Boulevard, Suite 100, Sugar land, Texas, TX 77478, USA and marketed in India without any alteration before or after sale by M/s. Advanced Systek Pvt. Ltd., 299/300, GIDC, Makarpura, Vadodara-390010, Gujarat, India and which is assigned the approval mark IND/13/11/477;

The said model is an electronic calculating and indicating device (Meter for liquids other than water) for use as part of a liquid measurement installation intended for processing pulse-signals representing volume or mass measurement from one measurement transducer. It works on 22-28 DC/100-250 AC Voltage power supply with ambient temperature range from +5C to +40C, non condensing.

The conditional characteristic is that the configuration of custody transfer parameters of the calculating and indicating device must comply with and should at the time of initial verification clearly indicate which programmable parameters must be considered as Weights and Measures parameters. These parameters are selected to be protected by the "Program Enable"/"Program Lock" switch and in "Program Lock" mode it shall not be possible to change these protected parameters via the communication interfaces as well. During verification of the OMNIFLOW in the field a list of applicable, Weights & Measures parameters with their numbers and values or setting, shall be available, along with so called free programmable registers. Registers that may affect Weights and Measures parameters and/or values shall be indicated as such on list.

Figure-1

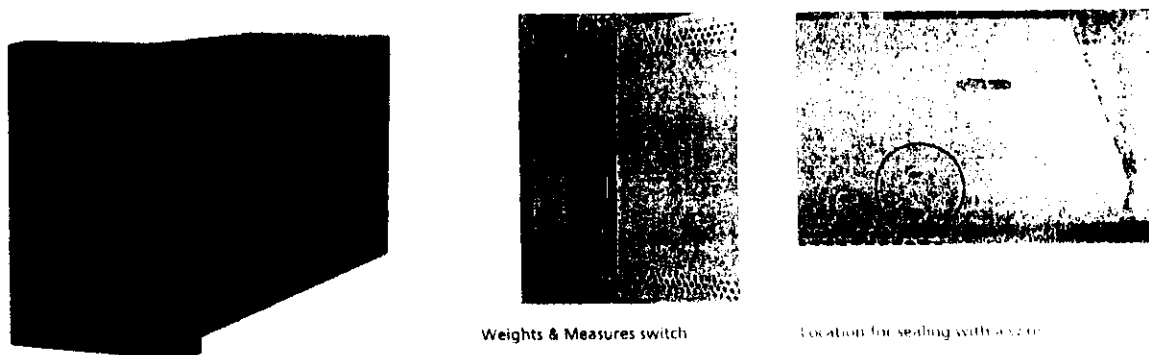


Figure-2 Photograph of sealing of the model

A typical sealing photograph of the model is given above. The Weights and Measures parameters will be protected against unauthorized opening or changes by software seal and by sealing a Weights and Measures switch. After setting this switch to sealed position the enclosure shall be sealed against opening with a wire and seal.

[ F.No.WM-21(195)/2011]

B. N. DIXIT, Director of Legal Metrology



नई दिल्ली, 10 फरवरी, 2012

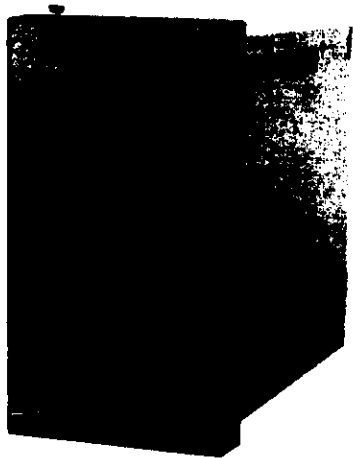
का.आ.1547.—केन्द्रीय सरकार का, एनएमआई सरटेन बी.वी. नीदरलैंड (ओआईएमएल) जारीकर्ता प्राधिकरण एनएमआई द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 के दूसरे परंतुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ओमनी फ्लो कम्प्यूटर्स आईएनसी, 12620, वैस्ट एयरपोर्ट, बडलेवर्ड, सूट 100, सुगर लैंड, टेक्सास, टीएक्स 77478, यूएसए द्वारा ओ आई एम एल आर 117-1: 2007 (ई) के अनुसरण में तरल मापने के लिए विनिर्मित इलैक्ट्रॉनिक गणक एवं सूचक यंत्र, यथार्थता वर्ग 0.3 वाले "ओमनीफ्लो 3000" शृंखला के (पानी के अलावा अन्य द्रव्यों के लिए डायनेमिक मापन पद्धति) जिसके ब्रांड का नाम "ओमनीफ्लो कम्प्यूटर्स आईएनसी" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे मैसर्स एडवांसड सिस्टैक प्रा.लि. 299/300, जीआईडीसी, माकरपुरा, बडोदरा-390010, गुजरात, भारत द्वारा बिक्री से पहले या बाद में बिना किसी परिवर्तन के भारत में विपणीत किया गया और जिसे अनुमोदन चिह्न आई एन डी/13/11/478 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

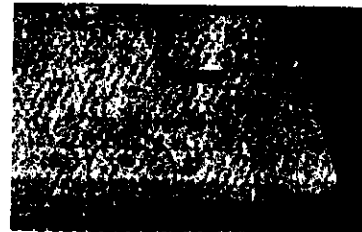
उक्त मॉडल एक इलैक्ट्रॉनिक गणनात्मक और सूचक यंत्र (पानी के अलावा किसी अन्य तरल पदार्थ के लिए मीटर) है जिसका प्रयोग, किसी एक मापक ट्रांसड्यूसर से मात्रा को दर्शाने वाले पल्ज सिगनल अथवा बड़े माप के प्रसंस्करण के एक भाग के रूप में किया जाता है। यह 22-28 डीसी/100-250 एसी वोल्टेज पावर सप्लाई पर  $+5^{\circ}$  से  $+40^{\circ}$  से. के नॉन कन्डेसिंग तापमान पर कार्य करता है।

इसकी विशेषता की शर्त यह है कि गणनात्मक और सूचक यंत्र के कस्टडी ट्रांसफर पैरामीटरों की बनावट इसके अनुरूप होनी चाहिए और प्रारंभिक सत्यापन के समय यह स्पष्ट रूप से दर्शाया जाना चाहिए कि किस प्रोग्राम योग्य पैरामीटरों को बाट एवं माप पैरामीटर माना गया है। इन पैरामीटरों का चयन 'प्रोग्राम एनेबल'/'प्रोग्राम लॉक' स्विचों को लगा कर संरक्षित किया गया है और 'प्रोग्राम लॉक' की स्थिति में इन संरक्षित पैरामीटरों को कम्प्युनिकेशन इंटरफेस द्वारा भी बदला जा सकता है। किसी क्षेत्र में ओमनीफ्लो के सत्यापन के दौरान, लागू बाट एवं माप पैरामीटरों की एक सूची उनके नम्बरों एवं मानों अथवा सेटिंग सहित फ्री प्रोग्राम योग्य रजिस्टर नाम से उपलब्ध कराई जाएगी रजिस्टर में बाट एवं माप पैरामीटरों और/अथवा मानों को सूची के रूप में दर्शाया जाएगा।

आकृति-1



Weights &amp; Measures switch



Location for sealing with a wire

आकृति-2 : मॉडल के सीलिंग प्रावधान का योजनाबद्ध डायग्राम।

मॉडल के सीलिंग प्रावधान का योजनाबद्ध डायग्राम ऊपर दिया गया है। जैसाकि चित्र में दिखाया गया है बाट तथा माप पैरामीटरों को अनाधिकृत रूप से खोलने से रोकने अथवा साफ्टवेयर सील को बदलने के लिए बाट तथा माप बटन को सीलिंग द्वारा सुरक्षा दी गई है। इस बटन को सीलिंग स्थिति में लगाने के बाद संलग्नकों को तार और सील से खोलने के विरुद्ध सील किया जाएगा।

[फा. सं. डब्ल्यू एम-21(195)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 10th February, 2012

**S.O.1547.**—Whereas the Central Government, after considering the report submitted to it along with the model approval certificate issued by NMI Certin B.V., Netherlands, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by the second proviso to Section 22 of the Legal Metrology Act, 2009 (1 of 2010) and sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby approves, issues and publishes the certificate of approval of the model of electronic calculating and indicating device for application in liquid measuring installation in accordance with OIML R 117-1 : 2007(E) (Dynamic measuring systems for liquids other than water) with brand name 'OMNI Flow Computers Inc.' and series 'OMNIFLOW 3000' having accuracy class 0.3 (hereinafter referred to as the said model), manufactured by M/s. OMNI Flow Computers Inc, 12620 West Airport Boulevard, Suite 100, Sugar Land, Texas, TX 77478, USA and marketed in India without any alteration before or after sale by M/s. Advanced Systek Pvt. Ltd, 299/300, GIDC, Makarpura, Vadodara-390010, Gujarat, India and which is assigned the approval mark IND/13/11/478.

The said model is an electronic calculating and indicating device (Meter for liquids other than water) for use as part of a liquid measurement installation intended for processing pulse-signals representing volume or mass measurement from one measurement transducer. It works on 22-28 DC/100-250 AC Voltage power supply with ambient temperature range from +5°C to +40°C, non condensing.

The conditional characteristic is that the configuration of custody transfer parameters of the calculating & indicating device must comply with and should at the time of initial verification clearly indicate which programmable parameters must be considered as Weights and Measures parameters. These parameters are selected to be protected by the "Program Enable"/ "Program Lock" switch and in "Program Lock" mode it shall not be possible to change these protected parameters via the communication interfaces as well. During verification of the OMNIFLOW in the field a list of applicable Weights and Measures parameters with their numbers and values or setting, shall be available, along with so called free programmable registers. Registers that may affect Weights and Measures parameters and or values shall be indicated as such on list.

Figure 1:

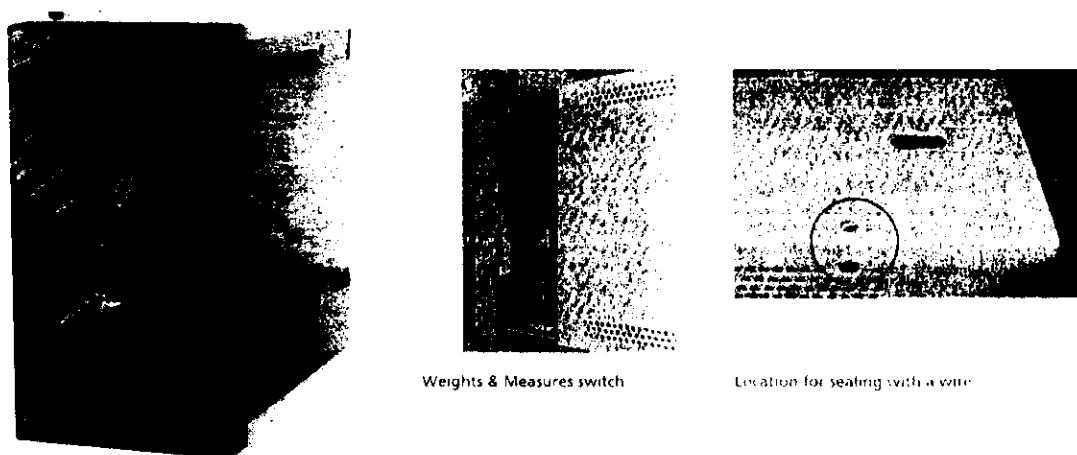


Figure 2 : Photograph of sealing of the model

A typical sealing photograph of the model is given above. The Weights and Measures parameters will be protected against unauthorized opening or changes by software seal and by sealing a Weights and Measures switch. After setting this switch to sealed position the enclosure shall be sealed against opening with a wire and seal.

[F. No. WM-21(195)/2011]

B. N. DIXIT, Director of Legal Metrology

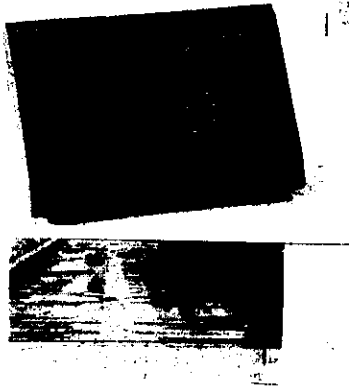
नई दिल्ली, 10 फरवरी, 2012

**का.आ.1548.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ओरिऑन आटोमेशन सिस्टम, नं. 39, 7वां मैन, जे सी इंडस्ट्रीयल एस्टेट, कनकपुरा रोड, बंगलोर-560002, कर्नाटक द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "अलटिमा+" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक वेब्रिज-मल्टी लोड सैल टाइप) के मॉडल का, जिसके ब्राण्ड का नाम "ओरिऑन" है (जिसे इसमें इससे पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/409 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक वेब्रिज-मल्टी लोड सैल टाइप) है। इसकी अधिकतम क्षमता 80 टन और न्यूनतम क्षमता 400 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 20 कि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। वैक्यूम फ्लोरेस डिस्पले (वीएफडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकालकर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से 200 टन की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^4$ ,  $2 \times 10^4$  या  $5 \times 10^4$  के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[ फा. सं. डब्ल्यू एम-21(239)/2011 ]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 10th February, 2012

**S.O.1548.**—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report(see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (electronic weighbridge-multi load cell type) with digital indication of medium accuracy (Accuracy class-III) of series "UL TIMA+" and with brand name "ORION" (hereinafter referred to as the said model), manufactured by M/s Orion Automation Systems, No 39, 7th Main J. C. Industrial Estate, Kanakapura Road, Bangalore-560002, Karnataka and which is assigned the approval mark IND/09/II/409;

The said model is a strain gauge type load cell based non-automatic weighing instrument (electronic weighbridge-multi load cell type) with a maximum capacity of 80tonne and minimum capacity of 400kg. The verification scale interval (e) is 20kg. It has a tare device with a 100 percent subtractive retained tare effect. The vacuum fluorescent display (VFD) indicates the weighing result. The instrument operates on 230Volts. 501 Hertz alternative current power supply.

Figure 1.

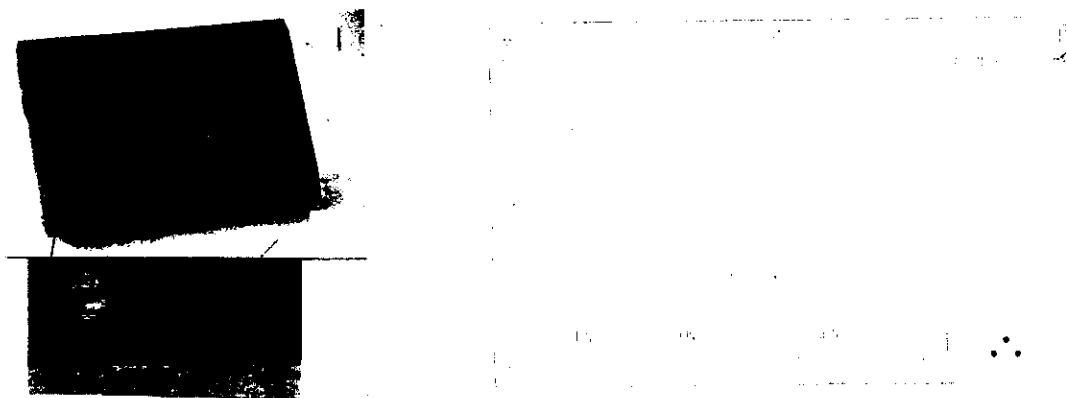


Figure 2 : Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with above 5 tonne and up to 200 tonne with verification scale interval (n) in the range or 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ;  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(239)/2011]

B. N. DIXIT, Director of Legal Metrology

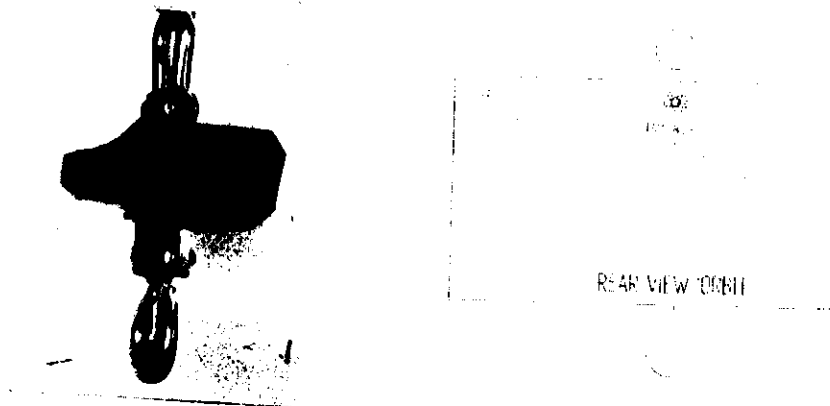
नई दिल्ली, 10 फरवरी, 2012

**का.आ.1549.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ओरिऑन आटोमेशन सिस्टम, नं. 39, 7वां मैन, जे सी इंडस्ट्रियल एस्टेट, कनकपुरा रोड, बंगलोर-560002, कर्नाटक द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "ओरिऑन" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (क्रैन स्केल) के मॉडल का, जिसके ब्राण्ड का नाम "ओरिऑन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/410 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (क्रैन स्केल) है। इसकी अधिकतम क्षमता 5000 कि.ग्रा. और न्यूनतम क्षमता 20 कि.ग्रा. है। सत्यापन मापमान अन्तराल (ई) 1 कि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकालकर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 500 कि.ग्रा. से 10,000 कि.ग्रा. टन की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^3$ ,  $2 \times 10^3$  या  $5 \times 10^3$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[ फा. सं. डब्ल्यू एम-21(239)/2011 ]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 10th February, 2012

**S.O.1549.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Crane Scale) with digital indication of medium accuracy (accuracy class-III) of series "ORBIT" and with brand name "ORION" (hereinafter referred to as the said model), manufactured by M/s Orion Automation Systems, No 39, 7th Main, J. C. Industrial Estate, Kanakapura Road, Bangalore-560002, Karnataka and which is assigned the approval mark IND/09/11/410;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Crane Scale) with a maximum capacity of 5000kg. and minimum capacity of 20kg. The verification scale interval (e) is 1kg. It has a tare device with a 100 percent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure 1

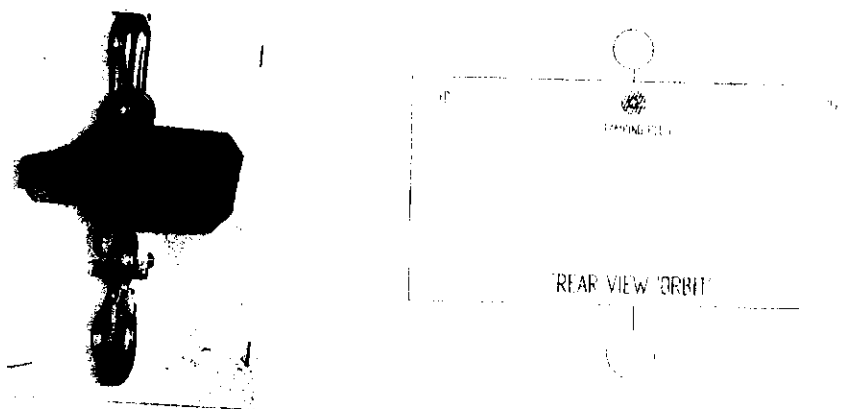


Figure 2 : Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 500kg. and up to 10000 kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(239)/2011]

B. N. DIXIT, Director of Legal Metrology

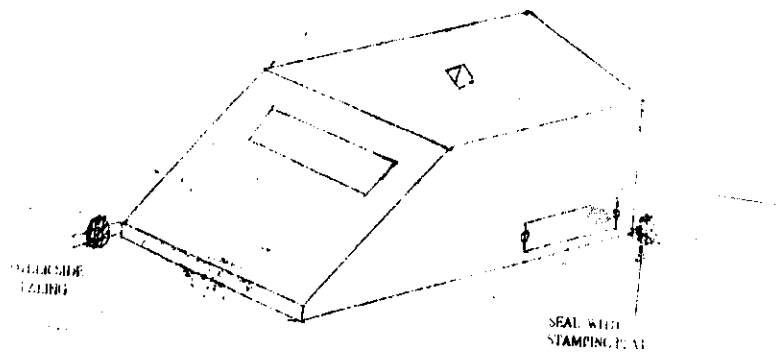
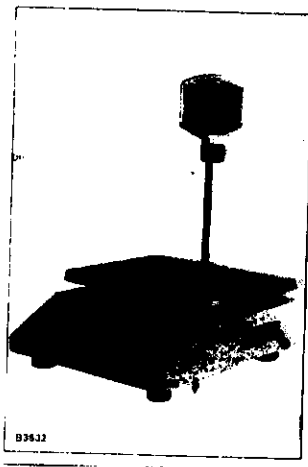
नई दिल्ली, 10 फरवरी, 2012

**का.आ.1550.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स फाइव स्टार स्केल, प्लॉट नं. 31, न्यू जागृति कालोनी, काटोल रोड, नागपुर-440013 महाराष्ट्र द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एफएसटी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टाप टाइप) के मॉडल का, जिसके ब्राण्ड का नाम "सूर्य" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/480 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टाप टाइप) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

डिस्पले की बाड़ी में से सीलिंग वायर निकालकर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकालकर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5,000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^*$ ,  $2 \times 10^*$  या  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[ फा. सं. डब्ल्यू एम-21(268)/2011 ]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 10th February, 2012

**S.O.1550.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report(see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of medium accuracy (accuracy class-III) of series "FST" and with brand name "SURY A" (hereinafter referred to as the said model), manufactured by M/s Five Star Scale, Plot No. 31, New Jagruti Colony, Katol Road, Nagpur-440 013, Maharashtra and which is assigned the approval mark IND/09/11/480.

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top type) with a maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230Volts, 50Hertz alternative current power supply.

Figure 1.

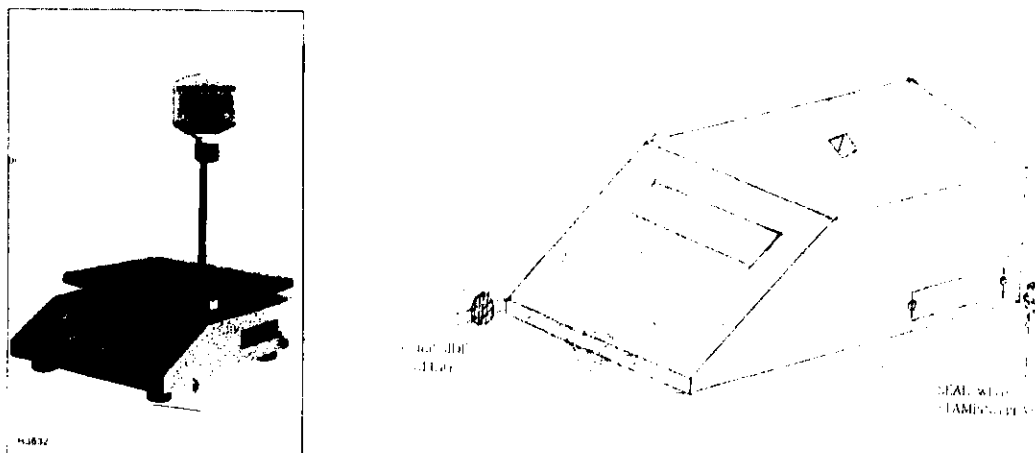


Figure 2 : Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg. to 2g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(268)2011]

B. N. DIXIT, Director of Legal Metrology



नई दिल्ली, 10 फरवरी, 2012

**का.आ.1551.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स फाइव स्टार स्केल, प्लॉट नं. 31, न्यू जागृति कालोनी, काटोल रोड, नागपुर-440013 महाराष्ट्र द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एफएसपी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेट फॉर्म टाइप) के मॉडल का, जिसके ब्राण्ड का नाम "सूर्या" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/481 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन-उपकरण (प्लेट फॉर्म टाइप) है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अन्तराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

डिस्पले की बाड़ी में से सीलिंग वायर निकालकर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकालकर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5,000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^*$ ,  $2 \times 10^*$  या  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[ फा. सं. डब्ल्यू एम-21(268)/2011 ]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 10th February, 2012

**S.O.1551.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (accuracy class-III) of series "FSP" and with brand name "SURYA" (hereinafter referred to as the said model), manufactured by M/s Five Star Scale, Plot No. 31, New Jagruti Colony, Katol Road, Nagpur-440013, Maharashtra and which is assigned the approval mark IND/09/11/481.

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1000kg. and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure 1

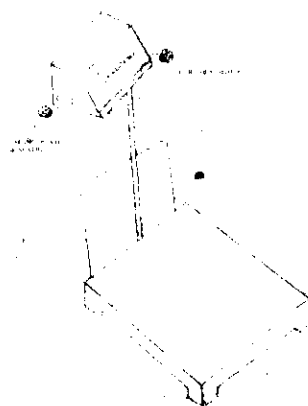


Figure2 : Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg. and up to 5000kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$  where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(268)/2011]

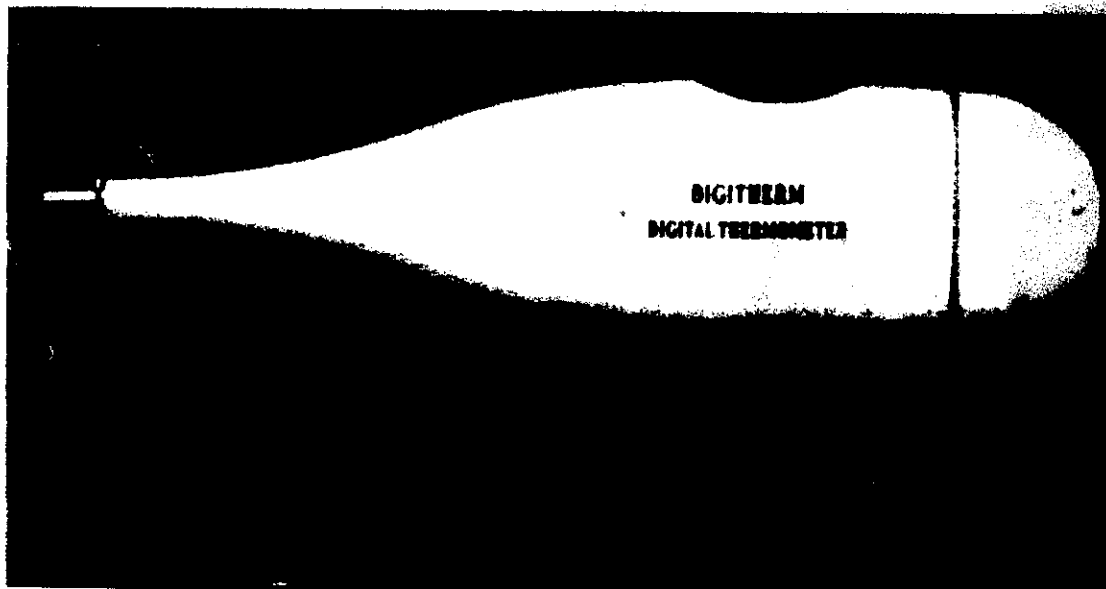
B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 10 फरवरी, 2012

**का.आ. 1552.**—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 के दूसरे परंतुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स कांगफु मेडीकल इक्विपमेंट फैक्ट्री, नं. 380, निंगकांग ईस्ट रोड, युक्विंग सीटी, झिजिआंग, चीन द्वारा विनिर्मित यथार्थता वर्ग II वाले “के-1001” शृंखला के अधिकतम डिवाइस अंकक सूचन सहित, क्लिनीकल इलेक्ट्रिकल थर्मामीटर के साथ, जिसके ब्रांड का नाम ‘डिजिथर्म’ है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे मैसर्स श्री जय दुर्गे इम्पोर्ट (प्रा.) लि., 204, हरी सदन, दूसरा तल, 20, अंसारी रोड, दरिया गंज, नई दिल्ली-110002 द्वारा बिक्री से पहले या बाद में बिना किसी परिवर्तन के भारत में आयात किया गया और जिसे अनुमोदन चिह्न आई एन डी/09/11/352 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

आकृति 1



उक्त मॉडल हार्ड टिप टाइप क्लिनीकल इलेक्ट्रिकल थर्मामीटर है जो अधिकतम डिवाइस, एल सी डी (लिविड क्रिस्टल डायोड) टाइप अंकक सूचन सहित मापमान रेंज  $32^{\circ}\text{C}$  से  $42^{\circ}\text{C}$  में है और जिसका न्यूनतम स्केल अंतराल  $0.1^{\circ}\text{C}$  है। यह 1.5°वी डीसी बैटरी से परिचालित होता है।

[फा. सं. डब्ल्यू एम-21(175)/2011]

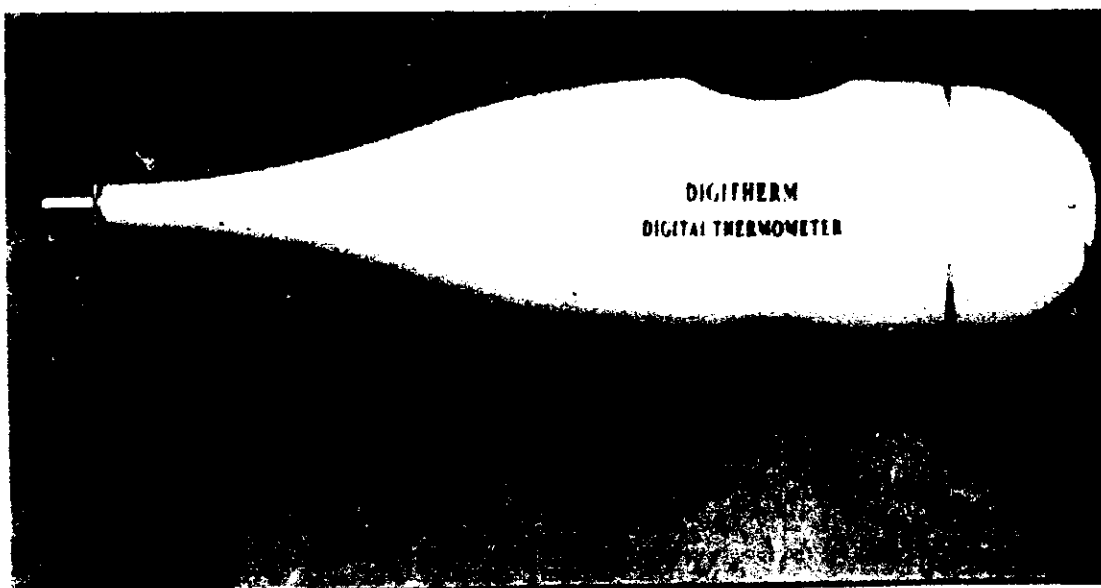
बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 10th February, 2012

**S.O.1552.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by the second proviso to Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of Clinical Electrical Thermometer with Maximum Device with digital indication of accuracy class-II of series "K 1001" and with brand name "DIGITHERM" (hereinafter referred to as the said model), manufactured by M/s. Kangfu Medical Equipment Factory, No. 380, Ningtang East Road, Yueqing City, Zhejiang, China and Imported in India without any alteration before or after sale by M/s Shri Jai Durga Import (P.) Ltd., 204, Hari Sadan, 11nd Floor, 20, Ansari Road, Darya Ganj, New Delhi-110002 and which is assigned the approval mark IND/09/11/352;

Figure-1



The said model is a hard tip type Clinical Electrical Thermometer with maximum device, having measurement range of 32° C to 42° C with digital indication of LCD (Liquid Crystal Display) type and the smallest scale interval is 0.1° C. It operates on 1.5 V DC battery.

[ F.No.WM-21(175)/2011 ]

B. N. DIXIT, Director of Legal Metrology

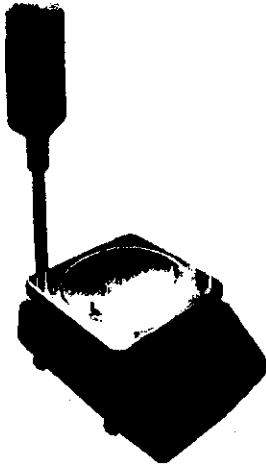
नई दिल्ली, 16 फरवरी, 2012

**का.आ.1553.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एक्यूरेट इंजीनियरिंग, टी सी 26/640 (27), फ्यूचर सेंटर, आंटुकूज़ी, तिरुवनन्तपुरम, केरल द्वारा मध्यम यथार्थता (यथार्थता वर्ग III) वाले "एटीएल-टीटी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप टाइप) के मॉडल का, जिसके ब्रांड का नाम "एटीएल-सीएसआईओ" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/510 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टॉप टाइप) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अन्तराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति -2: मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

डिस्पले की बाँड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^*$ ,  $2 \times 10^*$  या  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[ फा. सं. डब्ल्यू एम-21(277)/2011 ]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th February, 2012

**S.O. 1553.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of Medium Accuracy (Accuracy class-III) of Series "ATL-TT" and with brand name "ATL-CASIO" (hereinafter referred to as the said Model), manufactured by M/s Accurate Engineering, TC 26/640 (27), Future Centre, Oottukuzhi, Thiruvananthapuram, Kerala and which is assigned the approval mark IND/09/11/510;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top type) with a maximum capacity of 30kg and minimum capacity of 100 g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1



Figure-2: Schematic diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by hole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg to 2g and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F.No.WM-21(277)/2011]

B. N. DIXIT, Director of Legal Metrology

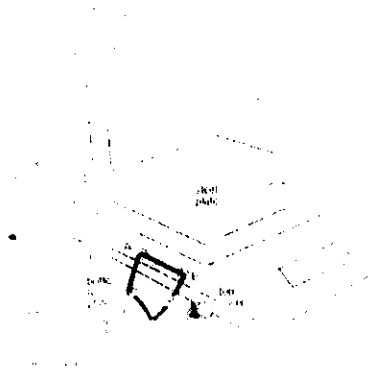
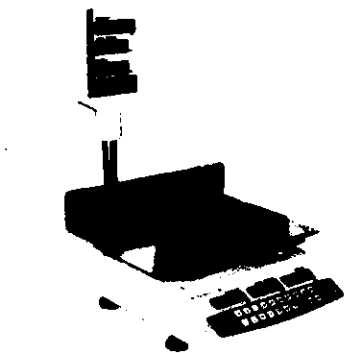
नई दिल्ली, 16 फरवरी, 2012

का.आ. 1554.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एक्यूरेट इंजीनियरिंग, टी सी 26/640 (27), फ्यूचर सेंटर, आंदुक्ली, तिरुवनंतपुरम, केरल द्वारा मध्यम यथार्थता (यथार्थता वर्ग III) वाले “एटीएल-पीसी” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (कीमत परिकलन और नग गणना सहित टेबल टॉप टाइप) के मॉडल का, जिसके ब्रांड का नाम “एटीएल-सीएसआईओ” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/511 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (कीमत परिकलन और नग गणना सहित टेबल टॉप टाइप) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम भार 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्त है जिसका शत प्रतिशत व्यवकलनत्मक भारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति -2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बॉडी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्रक्षेपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के “ई” मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान  $1 \times 10^*$ ,  $2 \times 10^*$  और  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(277)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th February, 2012

**S.O. 1554.**—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type with price computing and piece counting facility) with digital indication of Medium Accuracy (Accuracy class-III) of Series "ATL-PC" and with brand name "ATL-CASIO" (hereinafter referred to as the said Model), manufactured by M/s Accurate Engineering, TC 26/640 (27), Future Centre, Oottukuzhi, Thiruvananthapuram, Kerala and which is assigned the approval mark IND/09/11/511;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type with price computing and piece counting facility) with a maximum capacity of 30kg and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1 Model

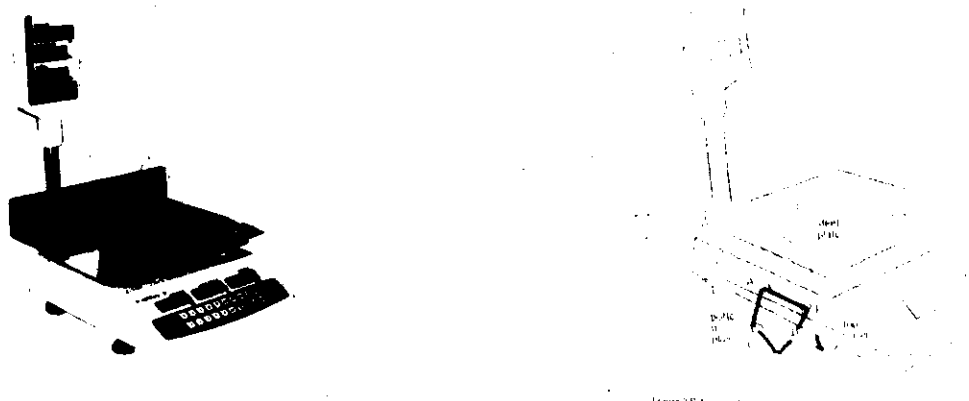


Figure-2 Schematic diagram of the sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by hole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg to 2g and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F.No.WM-21(277)/2011]

B. N. DIXIT, Director of Legal Metrology



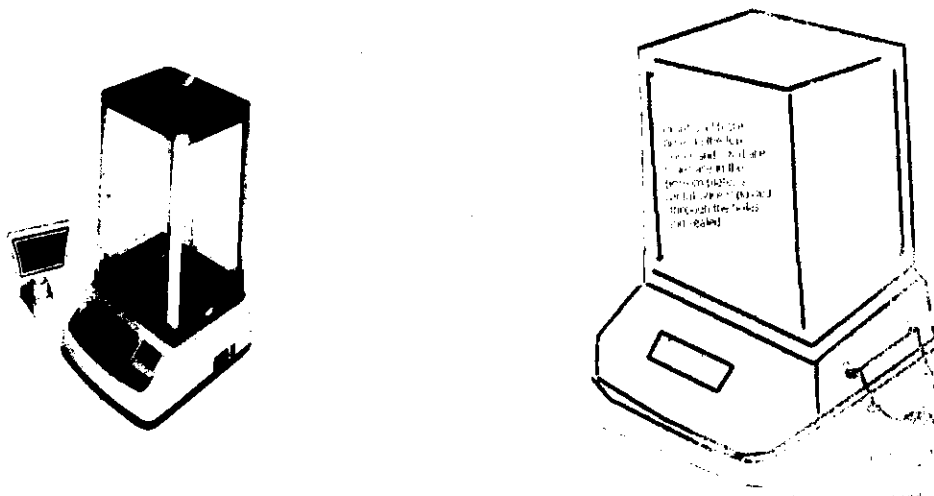
नई दिल्ली, 16 फरवरी, 2012

**का.आ.1555.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एक्ज्यूटेड इंजीनियरिंग, टी सी 26/640 (27), फ्यूचर सेंटर, आंदुकूजी, तिरुवनन्तपुरम, केरल द्वारा उच्च यथार्थता (यथार्थता वर्ग II) वाले "एटीएल-जेडब्ल्यू" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप ज्वेलरी वेइंग स्केल) के मॉडल का, जिसके ब्रांड का नाम "एटीएल-सीएसआईओ" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/509 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टॉप ज्वेलरी वेइंग स्केल) है। इसकी अधिकतम क्षमता 600 ग्रा. और न्यूनतम क्षमता 200 मि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 10 मि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति -2: मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बॉडी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे। मि.ग्रा. से 50 मि. ग्रा. तक के "ई" मान के लिए 100 से 100,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 100,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^*$ ,  $2 \times 10^*$  और  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(277)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th February, 2012

**S.O.1555.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby publishes the certificate of approval of the model of non-automatic weighing instrument (Table top jewellery weighing scale) with digital indication of high accuracy (Accuracy class-II) of Series "ATL-JW" and with brand name "ATL-CASIO" (hereinafter referred to as the said Model), manufactured by M/s Accurate Engineering, TC 26/640 (27), Future Centre, Oottukuzhi, Thiruvananthapuram, Kerala and which is assigned the approval mark IND/09/11/509;

The said model is a strain gauge type load cell based automatic weighing instrument (Table top jewellery weighing scale) with a maximum capacity of 600g and minimum capacity of 200mg. The verification scale interval (e) is 10mg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1 Model

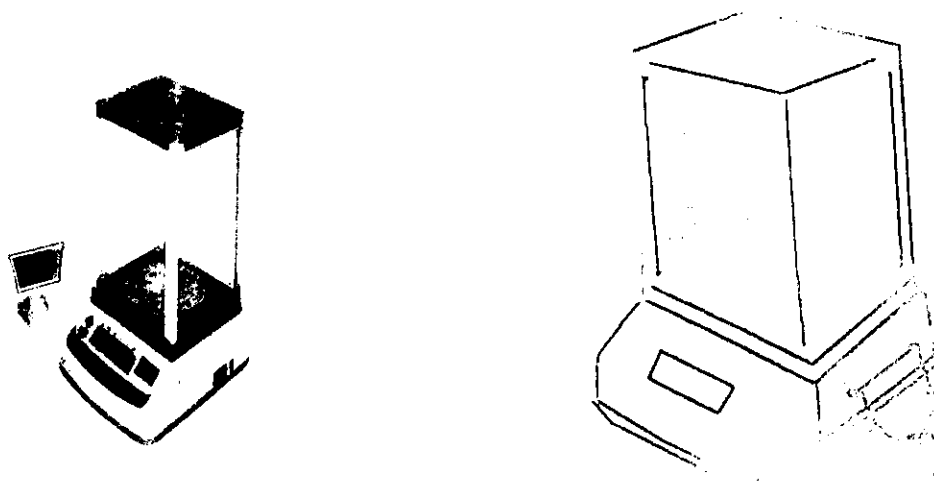


Figure-2 Schematic diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 100 to 100,000 for 'e' value of 1mg to 50mg and with verification scale interval (n) in the range of 5000 to 100,000 for 'e' value of 100mg or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F.No.WM-21(277)/2011]

B. N. DIXIT, Director of Legal Metrology

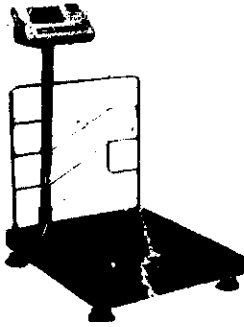
नई दिल्ली, 16 फरवरी, 2012

**का.आ.1556.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एक्ज्यूरेट इंजीनियरिंग, टी सी 26/640 (27), पयूचर सेंटर, आंटुकूज़ी, तिरुवनन्तपुरम, केरल द्वारा मध्यम यथार्थता (यथार्थता वर्ग III) वाले "एटीएल-पीएफ" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम "एटीएल-सीएसआईओ" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/512 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 1000 कि. ग्रा. और न्यूनतम क्षमता 4 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति -2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम



डिस्पले की बॉडी में से सीलिंग प्लेट निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^*$ ,  $2 \times 10^*$  और  $5 \times 10^*$  के हैं, जो भ्रूणात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(277)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th February, 2012

**S.O.1556.**—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of Rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (accuracy class-III) of Series “ATL-PF” and with brand name “ATL-CASIO” (hereinafter referred to as the said Model), manufactured by M/s Accurate Engineering, TC 26/640 (27), Future Centre, Ootukuzhi, Thiruvananthapuram, Kerala and which is assigned the approval mark IND/09/11/512;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1000kg and minimum capacity of 4kg. The verification scale interval (e) value of 200g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

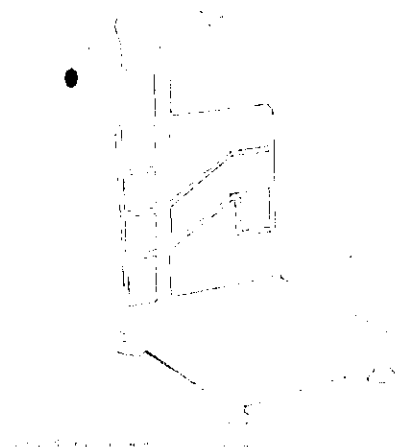
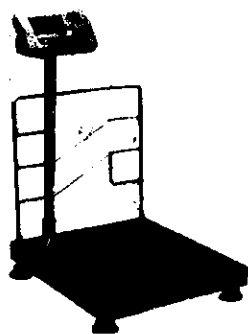


Figure-2 : Schematic diagram of the sealing provision of the model.

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by hole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-rule (9) of Rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg and up to 5000kg with verification scale interval (n) in the range of 500 to 10000 for ‘e’ value of 5g or more and with ‘e’ value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[ F.No.WM-21(277)/2011 ]

B. N. DIXIT, Director of Legal Metrology

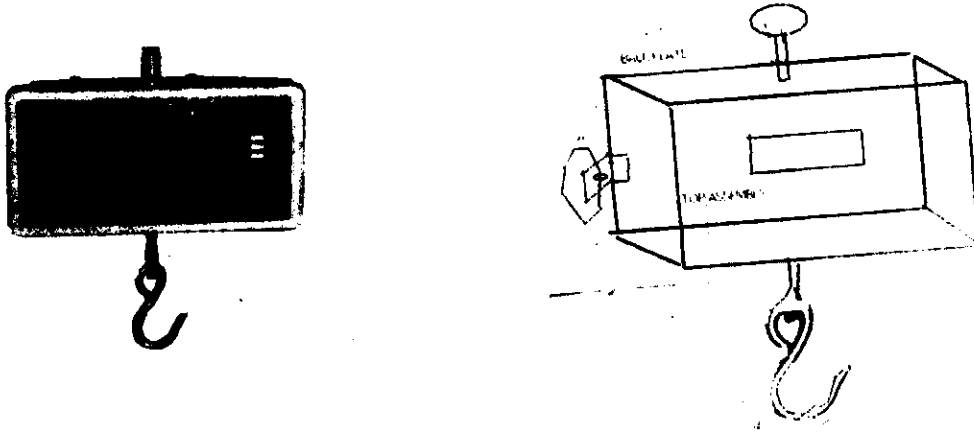
नई दिल्ली, 16 फरवरी, 2012

का.आ.1557.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एक्यूरेट इंजीनियरिंग, टी सी 26/640 (27), फ्यूचर सेंटर, आंदुक्कूज़ी, तिरुवननंतपुरम, केरल द्वारा मध्यम यथार्थता (यथार्थता वर्ग III) वाले “एटीएल-एचएस” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (हैंगिंग स्केल) के मॉडल का, जिसके ब्रांड का नाम “एटीएल-सीएसआईओ” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/513 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (हैंगिंग स्केल) है। इसकी अधिकतम क्षमता 1000 कि. ग्रा. और न्यूनतम क्षमता 4 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति -2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बॉडी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान  $1 \times 10^*$ ,  $2 \times 10^*$  और  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(277)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th February, 2012

**S.O.1557.**—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Hanging scale) with digital indication of medium accuracy (accuracy class-III) of Series "ATL-HS" and with brand name "ATL-CASIO" (hereinafter referred to as the said Model), manufactured by M/s. Accurate Engineering, TC 26/640 (27), Future Centre, Oottukuzhi, Thiruvananthapuram, Kerala and which is assigned the approval mark IND/09/11/513;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Hanging scale) with a maximum capacity of 1000kg. and minimum capacity of 4kg. The verification scale interval (e) is 200g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1 Model

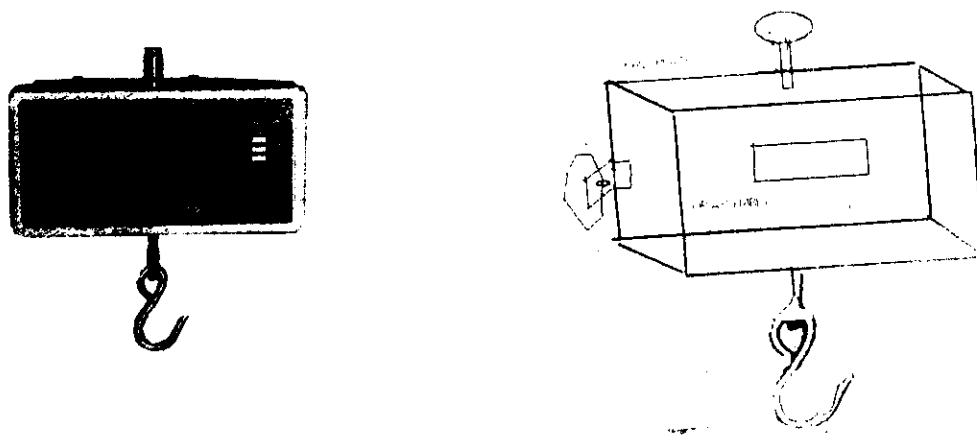


Figure-2 : Schematic diagram of the sealing provision of the model.

Sealing is done by passing sealing wire from the body of the display. The seal is connected by hole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity above 50kg. and up to 5000kg. with verification scale interval (n) in the range of 500 to 10000 for 'e' value of 5g or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F.No.WM-21(277)/2011]

B. N. DIXIT, Director of Legal Metrology

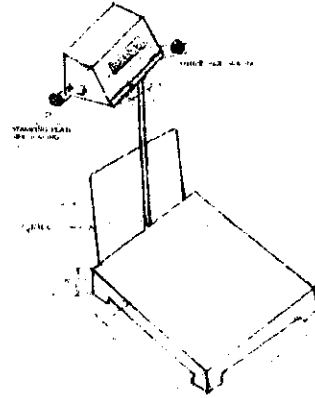
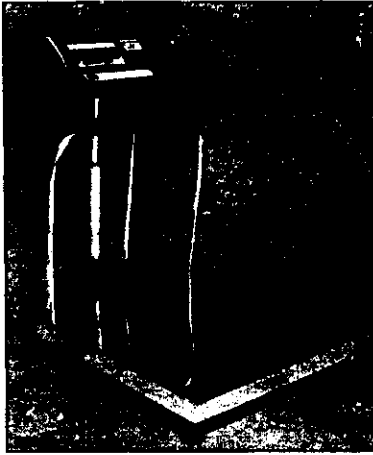
नई दिल्ली, 17 फरवरी, 2012

**का.आ.1558.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स क्वांटम इंस्ट्रूमेंट्स, ए-203, एमी अपार्टमेंट, सिद्धीविनायक नगर, सफ़ेद हट हाई स्कूल के पास, नल्लासोपारा (डब्ल्यू), वासई, थाणे-401203 महाराष्ट्र द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “क्यूपी” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम “क्वांटम” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/515 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 1000 कि. ग्रा. और न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। एलईडी/एलसीडी/बीएफडी प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति -2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाँड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$  और  $5 \times 10^{-6}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[ फा. सं. डब्ल्यू एम-21(251)/2011 ]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 17th February, 2012

**S.O.1558.**—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (accuracy class-III) of Series "QP" and with brand name "QUANTUM" (hereinafter referred to as the said Model), manufactured by M/s. Quantum Instruments, A-203, Amey Apartment, Siddhivinayak Nagar, Near Sacred Heart High School, Nallasopara (W), Vasai, Thane-401203, Maharashtra and which is assigned the approval mark IND/09/11/515;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1000kg. and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The LED/LCD/VFD display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1 Model

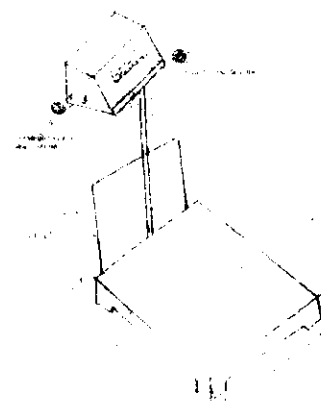


Figure-2 : Schematic diagram of the sealing provision of the model .

Sealing is done by passing sealing wire from the body of the display. The seal is connected by hole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity above 50kg. and up to 5000kg. with verification scale interval (n) in the range of 500 to 10000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F.No.WM-21(251)2011]

B. N. DIXIT, Director of Legal Metrology



नई दिल्ली, 17 फरवरी, 2012

का.आ.1559.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स क्वांटम इंस्ट्रूमेंट्स, ए-203, एमी अपार्टमेंट, सिद्धिविनायक नगर, सफ़ेद हट हाई स्कूल के पास, नल्लासोपारा (डब्ल्यू), वासई, थाणे-401203, महाराष्ट्र द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "क्यूटी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टाप टाइप) के मॉडल का, जिसके ब्रांड का नाम "क्वांटम" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/516 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टाप टाइप) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। एलईडी/एलसीडी/वीएफडी प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1

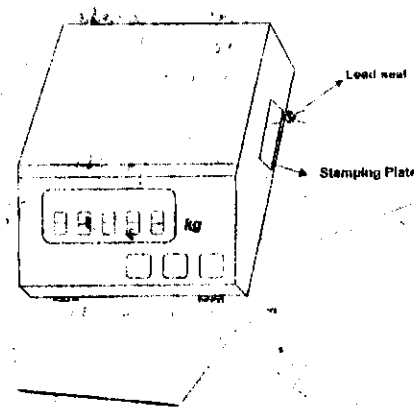
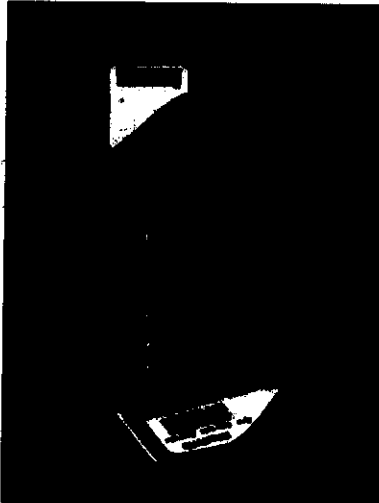


Figure 2 Schematic Diagram of sealing provision of the

आकृति -2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. या तक के "ई" मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$  और  $5 \times 10^{-6}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(251)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 17th February, 2012

**S.O.1559.**—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of Medium Accuracy (Accuracy class-III) of Series "QT" and with brand name "QUANTUM" (hereinafter referred to as the said Model), manufactured by M/s Quantum Instruments, A-203, Amey Apartment, Siddhivinayak Nagar, Near Sacred Heart High School, Nallasopara (W), Vasai, Thane-401203, Maharashtra and which is assigned the approval mark IND/09/11/516;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg. and minimum capacity of 100 g. The verification scale interval (e) is 5 g. It has a tare device with a 100 per cent subtractive retained tare effect. The LED/LCD/VFD display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

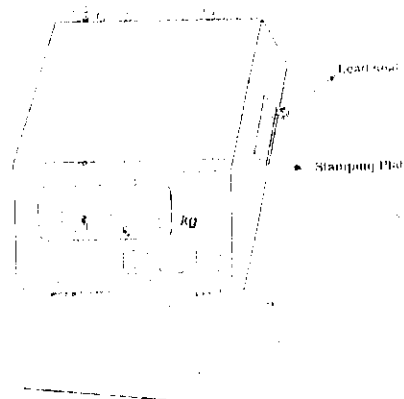
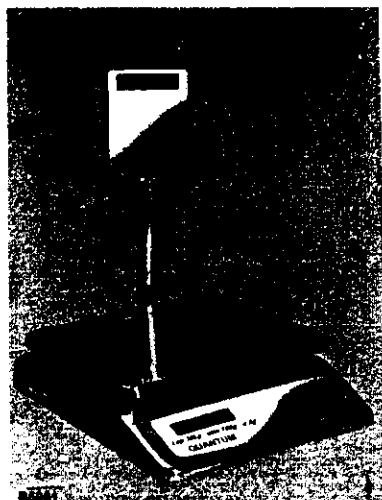


Figure-2 Schematic diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg. to 2g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F.No.WM-21(251)/2011]

B. N. DIXIT, Director of Legal Metrology

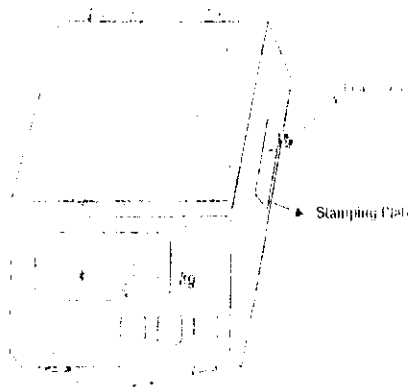
नई दिल्ली, 17 फरवरी, 2012

**का.आ.1560.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स क्वांटम इंस्ट्रूमेंट्स, ए-203, एमी अपार्टमेंट, सिद्धिविनायक नगर, सफ़ेद हट हाई स्कूल के पास, नल्लासोपारा (डब्ल्यू), वासई, थाणे-401203, महाराष्ट्र द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले "क्यूजे" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप टाइप) के मॉडल का, जिसके ब्रांड का नाम "क्वांटम" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/517 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टॉप टाइप) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। एलईडी/एलसीडी/वीएफडी प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति -2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाडी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे। मि.ग्रा. से 50 मि.ग्रा. या तक के "ई" मान के लिए 100 से 1,00,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 100,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^*$ ,  $2 \times 10^*$  और  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(251)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 17th February, 2012

**S.O. 1560.**—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of High Accuracy (Accuracy class-II) of Series “QJ” and with brand name “QUANTUM” (hereinafter referred to as the said Model), manufactured by M/s Quantum Instruments, A-203, Amey Apartment, Siddhivinayak Nagar, Near Sacred Heart High School, Nallasopara (W), Vasai, Thane-401203, Maharashtra and which is assigned the approval mark IND/09/11/517;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg. and minimum capacity of 100 g. The verification scale interval (e) is 2 g. It has a tare device with a 100 per cent subtractive retained tare effect. The LED/LCD/VFD display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

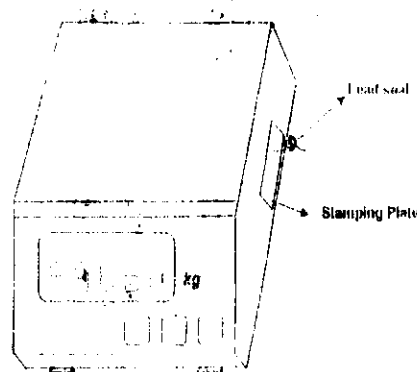
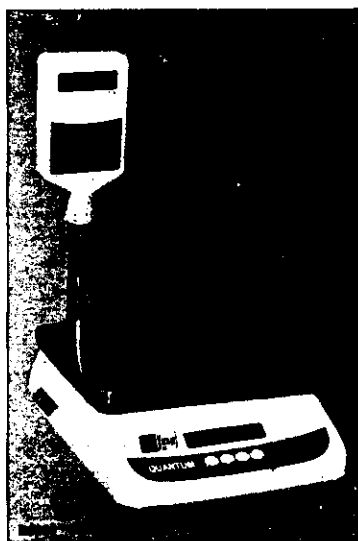


Figure-2 Schematic diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 100 to 1,00,000 for 'e' value of 1 mg. to 50 mg. and with verification scale interval (n) in the range of 5000 to 100,000 for 'e' value of 100 mg. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F.No.WM-21(251)/2011]

B. N. DIXIT, Director of Legal Metrology

( भारतीय मानक ब्यूरो )

नई दिल्ली, 23 अप्रैल, 2012

का.आ.1561.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के विनियम 5 के उप-विनियम (6) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन लाइसेंसों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिए गए हैं :—

## अनुसूची

क्रम सं.	लाइसेंस संख्या	स्वीकृत करने की तिथि, वर्ष/माह	लाइसेंसधारी का नाम एवं पता	भारतीय मानक का शीर्षक	भा. सं.	भाग	खण्ड	वर्ष
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1	3716765	11-4-2011	न्यूएज फायर प्रोटेक्शन इंडिया प्रा. लि., सी-10, पटेल इस्टेट, नीलगिरी स्टॉप फ्लोरा होटल से आगे, विलेज देवदल, बसई जिला : ठाणे-401208	अग्निशामक हौज का शाखा पाइप वितरण कपलिंग नोजल पाना (चौथा संशोधन)	903	—	—	1993
2	3716967	11-4-2011	न्यू भारत फायर प्रोटेक्शन सिस्टम प्रा. लि., गट सं. 214 (भाग) विलेज: कोंडला दिनकर पाडा, तालुका: वाडा जिला : थाणे-432131	अग्निशामन हेतु यांत्रिक झाग उत्पन्न करने के लिए झाग सांद्र	4989	—	—	2006
3	3719569	11-4-2011	श्रीधन प्लास्टिक्स एफ-2/16, एमआईडीसी, खेडो, चिपलून, जिला : रत्नागिरी-415605	रोटेशनल मोल्डित पॉलीइथलीन बॉटर स्टोरेज टैंक	12701	—	—	1996
4	3723661	04-5-2011	एम. टेक इंडस्ट्रीज सर्वे सं. 185/1/1, प्लॉट सं. 19, डॉकमार्डो आमली, सिलवासा जिला : दमन एवं दीव-396230	औद्योगिक सुरक्षा हेलमेट	2925	—	—	1984
5	3727063	12-5-2011	नंदिनी किचन अप्लाइसेंस प्रा. लि., गेट नं. 174/3, खतवाड रोड, तलेगांव, तालुका-दिंडोरी, जिला : नासिक-422 002	घरेलू प्रेसर कुकर-विशिष्ट	2347	—	—	2006
6	3730456	02-06-2011	एसकॉन पाईप्स एंड फिटिंग्स, प्लॉट सं. बी-242, एमआईडीसी, मालेगांव, सिन्नर, जिला : नासिक-422103	पेयजल आपूर्ति के लिए अप्लैस्टिकेट पीवीसी पाईप	4985	—	—	2000
7	3731054	03-06-2011	सफेक्स फायर सर्विसेस, प्लॉट सं. 13, विलेज : माहिम, तालुका : पालघर, बिडको के सामने जिला : थाणे-401402	सुवाहय अग्निशामक-निष्पादन और संरचना	15683	—	—	2006

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
8	3732561	10-6-2011	न्यूएज फायर प्रोटेक्शन इंडिया प्रा. लि., सी-10, पटेल इस्टेट, नीलगिरी स्ट्राप, फलोरा होटल के आगे, विलेज देवदल, वसई, जिला : ठाणे-401208	लैंडिंग वाल्व के लिए विशिष्ट (तीसरा संशोधन)	5390	—	—	1993
9	3734060	14-6-2011	मेहता इंटरट्रेड स्टील प्रा.लि., प्लॉट सं. 42/1बी, 42/3ए, 48/1बी, 49/5, 49/11, विलेज : मडप खालापुर जिला : रायगढ़-410203	मृदु इस्पात नलिकाएँ, नलिकायुक्त और अन्य ढलवाँ इस्पात फिटिंग -विशिष्ट- भाग 1, मृदु इस्पात नलिकाएँ	1239	1	—	2004
10	3734161	13-6-2011	मेहता इंटरट्रेड स्टील प्रा.लि., प्लॉट सं. 42/1बी, 42/3ए, 48/1बी, 49/5, 49/11, विलेज : मडप खालापुर जिला : रायगढ़-410203	संरचना प्रयोजनों के लिए इस्पात नलिकाएँ- -विशिष्ट-	1161	—	—	1998
11	3734666	15-6-2011	शकुन्तला मेटल एण्ड प्लास्टिक कॉरपोरेशन, गाला सं. बी 38, ए.के. इंडस्ट्रियल इस्टेट, नेशनल हाइवे के पास, पेलर विलेज, वसई पूर्व, जिला : ठाणे-401208	ढलवाँ एल्यूमिनियम बर्तन-भाग : 1 भोजन पकाने, परोसने और रखने के बर्तन	1660	1	—	1982
12	3735163	17-6-2011	केयूर किचनवेयर, कुनाल इण्ड. इस्टेट, गाला सं. 5 से 9, 13 और 14, तल मंजिल बिल्डिंग सं. 3, एसबीआई के नजदीक गौराईपाडा, बिलाल पाडा तालुका वसई, जिला थाणे-401208	घरेलू प्रेसर कुकर-विशिष्ट	2347	—	—	2006
13	3740459	8-7-2011	मेहता इंटरट्रेड स्टील प्रा. लि. प्लॉट सं. 42/1 बी, 42/3ए 48/1बी, 49/5, 49/11 विलेज : मडप खालापुर जिला : रायगढ़-410203	संरचनात्मक प्रयोग के लिए खोखले इस्पात के खंड	4923	—	—	1997
14	3743364	18-7-2011	देवन्दी फर्स्ट सेंचुरी वायर रॉड्स लि., प्लॉट सं. 130/1 एवं 130/3 विलेज: परजई, खानवेल, सिलबासा : 396230 जिला-दादरा एवं नगर हवेली	तप्त वेल्लित अल्प, मध्यम एवं उच्च तन्यता इस्पात-विशिष्ट	2062	—	—	2006

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
15	3743566	19-7-2011	श्री गणपती इण्डस्ट्रीज वी-8, एमआईडीसी, अजंता रोड, जिला-जलगाँव-425003	पेयजल आपूर्ति के लिए अप्लैस्टिकित पीवीसी पॉलिथिलीन पाइप-विशिष्ट	4985	—	—	2000
16	3744063	21-7-2011	तुलसी एक्सट्रान्स लि. एन-99 एवं 100, एमआईडीसी, जिला-जलगाँव-425003	बोर/टयूबवेल के लिए अप्लैस्टिकित पीवीसी स्कीन और कासिंग पाइप (विशिष्ट)	12818	—	—	1992
17	3744568	22-7-2011	स्वास्तिक एल्यूमिनियम कंपनी बिल्डिंग सं. 6, बेसमेंट निरव बिल्डिंग गांवदेवी मंदिर के नजदीक, गांव देवी इण्ड, इस्टेट, साई सर्विस स्टेशन के सामने, सातवली, बसई, पूर्व जिला थाणे- 401208	घरेलू प्रेसर कुकर - विशिष्ट	2347	—	—	2006
18	3745873	27-7-2011	करमतारा फास्टर्नस प्रा. लि. ए-12, एमआईडीसी, तारापूर, बोईसर, जिला-ठाणे 401506	बंधन सामग्री-छूड़ीदार इस्पात बंधन सामग्री- षटकोणीय शीर्ष वाले सम्प्रेषण टावर बोल्ट-विशिष्ट	12427	—	—	2001
19	3748879	9-8-2011	कमाण्डर वाटरटेक प्रा. लि. मोहम्मद अली कंपाउण्ड, ब्लॉक सं. 06, मालवणी कालोनी, मालाड़ (पश्चिम) मुंबई-400095	शौचकुंड के लिए प्लास्टिक की पीठीका और डक्कन भाग 2 : थर्मोप्लास्टिक सीट और कवर	2548	2	—	1996
20	3749780	11-8-2011	भूषण स्टील लिमिटेड विलेज: निफान एवं सावरोली, (खोपोली के नजदीक) तालुका : खालापूर, जिला : रायगढ़ 410202	पाणी और मलजल के इस्पात पाइप (168.3 से 2540 मिमी बाहरी व्यास के) -विशिष्ट	3589	—	—	2001
21	3750765	16-8-2011	रिद्धी सिद्धी प्लास्टिक राजप्रभा लैण्डमार्क इण्ड. इस्टेट, बिल्डिंग सं. 2/ए, गाला सं. 20, भोइडा पाडा, सातवली रोड, बसई, पूर्व जिला-ठाणे 401208	जलशौचालयों और मूत्रालयों के लिए प्लास्टिक प्रधावन टैंकियाँ	7231	—	—	1994
22	3750866	16-8-2011	रिद्धी सिद्धी प्लास्टिक राजप्रभा लैण्डमार्क इण्ड. इस्टेट, बिल्डिंग सं. 2/ए, गाला सं. 20, भोइडा पाडा, सातवली रोड, बसई, पूर्व जिला-ठाणे 401208	शौचकुंड के लिए प्लास्टिक की पीठीका और डक्कन-भाग 2 : थर्मोप्लास्टिक सीट और कवर	2548	2	—	1996

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
23	3752062	17-8-2011	माइलाईट इलेक्ट्रीक इण्डस्ट्रीज प्लॉट सं. 21ए, मीरा को-ऑपरेटिव इण्डस्ट्रियल इस्टेट, एन.एच. सं. 8, काशीमीरा, मीरारोड, जिला : थाणे 401104,	विद्युत संस्थापनों के लिए नलिकाएँ : भाग 3 विद्युतरोधी सामग्री के दृढ़ सादी नलिकाएं ( भामा : 2509 के स्थान में)	9537	3	—	1983
24	3752163	16-8-2011	माइलाईट इलेक्ट्रीक इण्डस्ट्रीज प्लॉट सं. 21ए, मीरा को-ऑपरेटिव इण्डस्ट्रियल इस्टेट, एन.एच. सं. 8, काशीमीरा, मीरारोड, जिला : थाणे 401104,	विद्युत संस्थापनों के लिए तनाव और वाहिनी पद्धति : भाग 2 दिवारों एवं सिलिंग पर लगाने के लिए वाञ्छित केवल तनन और वाहिनी पद्धति	14927	2	—	2001
25	3756474	18-8-2011	टॉपवर्थ पाइप्स और टयुब्स प्रा. लि. खोपोली-पाली रोड, विलेज - हेदावली, सुधागढ, जिला-रायगढ 401205	खोखले इस्पात के संरचनात्मक प्रयोग के लिए-विशिष्ट	4923	—	—	1997
26	3761164	23-9-2011	एम. के. इंजीनियरिंग कंपनी, गाला सं. ए-2 और 3, बेगम इस्टेट, गणेश मंदिर के सामने, लोकमान्य तिलकनगर, अंधेरी, मुंबई-400072	अग्नि शामकों में प्रयोग के लिए गैस के कारतुस ( कार्ट्रिज )	4947	—	—	2006
27	3762368	12-9-2011	प्रेसटेस वायर इण्डस्ट्रीज सर्वे सं. 104/1/1, उमर कोइ रोड फलांदी विलेज, सिलवासा, जिला : दादरा और नगर हवेली 396230	प्रतिबलित कंक्रीट के सादे कठोर कर्षित इस्पात के तार : भाग अतप्त कर्षित प्रतिबल युक्त तार	1785	1	—	1983
28	3764776	10-10-2011	प्रेसफिट पाइप एण्ड प्रोफाइल सर्वे सं. 127, राज राजेश्वरी कंपाउण्ड बाम्बे रियॉन के नजदीक, सोनाले विलेज, भिवण्डी, जिला : थाणे 421302	दृढ़ नॉन-मेटालिक नलिकाओं के लिए फिटिंग्स	3419	—	—	1988
29	3765071	11-10-2011	ट्रीकाया प्लास्टो इण्डस्ट्रीज 189/1 (4), पांचाल उद्योग नगर, भीमपूर, जिला : दमन, दमन एवं दीव 396210	विद्युत संस्थापनों के लिए नलिकाएँ : भाग 3 विद्युतरोधी सामग्री के दृढ़ सादी नलिकाएं ( भामा : 2509 का अधिक्रमण )	9537	3	—	1983



(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
30	3766477	17-10-2011	ममता प्रोडक्ट्स, शक्तिराज इण्डस्ट्रीयल कंपाउण्ड गात्ता सं. 5, बीके सं. 969, स्टेशन रोड, उल्हासनगर जिला : थाणे-421003	तेल दाब स्टोव और तेलदाब हीटरों के लिए बर्नन-विशिष्टि	8808	—	—	1999
31	3766881	18-10-2011	जस्ट अक्युरा 124 एवं 125, शुक्ला इस्टेट, वेस्टन एक्सप्रेस हाईवे अशोक वन के नजदीक, दहिसर (पूर्व) मुंबई-400068	सौर स्पात पट्टिका संग्राहक भाग-1 अपेक्षाएं	12933	1	—	2003
32	3769887	24-10-2011	किसान मोल्डिंग लिमिटेड सर्वे सं. 70, 71, 72, 63/1, 64/1 विलेज : महागाँव, बोइसर (पूर्व) जिला : थाणे-401501	विद्युत संस्थापनों के लिए नलिकाएँ : भाग 3 विद्युतरोधी सामग्री के दूढ़ सादी नलिकाएं ( भामा : 2509 के स्थान में)	9537	3	—	1983
33	3774173	17-11-2011	कोमल इन्टरप्राइजेस शेड सं. 3, विधाता कंपाउण्ड, पाचवा माईल, कल्याण मुरबाड रोड, कम्बा, जिला : थाणे 421301,	विद्युत संस्थापनों के लिए नलिकाएँ : भाग 3 विद्युतरोधी सामग्री के दूढ़ सादी नलिकाएं ( भामा : 2509 के स्थान में)	9337	3	—	1983
34	3781978	9-12-2011	प्रेसट्रेस वायर इण्डस्ट्रीज सर्वे सं. 104/1/1, उमेर कोइ रोड, फलांदी विलेज, सिलवासा, जिला : दादरा और नगर हवेली -396230	पूर्व प्रतिबलित कंक्रीट के लिए सादे कठोर कर्षित इस्पात के तार : भाग अतप्त कर्षित प्रतिबल युक्त तार	1785	2	—	1983
35	3782071	8-12-2011	स्टार अप्लायेंसेस प्रा. लि. प्लॉट सं. 13 एवं 14, दिवान इण्डस्ट्रीयल इस्टेट, बैंक ऑफ महाराष्ट्र के सामने, अलीयाली, पालघर ( पश्चिम ), जिला थाणे-401405	घरेलु प्रेसर कुकर विशिष्टि	2347	—	—	2006
36	3784479	19-12-2011	ग्रिन्स पॉलीमर्स बी-52, एमआयडीसी जिला : जलगाँव-425003	पेय जल आपूर्ती के लिए अप्लैस्टिकित पीवीसी पाईप	4985	—	—	2000

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
37	3785380	27-12-2011	हर्ष इन्टरप्राइजेस, बिल्डिंग सं. एम 2/ए, श्री राजमक्ष्मी हाई टेक टैक्सटाईल इण्डस्ट्रीयल पार्क, सोनाले विलेज, भिवण्डी, जिला थाणे- 421302	घरेलु प्रेशर कुकर-- विशिष्ट	2347	—	—	2006
38	3785683	28-12-2011	मोना ट्रेडर्स, सी-4, जेमनानी कंपाउण्ड, बसार रोड, अंबरनाथ - (पूर्व), जिला : थाणे - 421501	विद्युत संस्थापनों के लिए नलिकाएं : भाग 3 विद्युतरोधी सामग्री के दृढ़ सादी नलिकाएं ( भामा : 2509 के स्थान में)	9537	3	—	1983
39	3786988	27-12-2011	रतन सिंह एण्ड ब्रदर्स, सर्वे सं. 5, विलेज : वरसवा, धोड़बंदर वरसवा, जिला : ठाणे- 401104	खड़जे के लिए पूर्व दलित कंक्रीट ब्लॉक	15658	—	—	2006
40	3787081	3-1-2012	दिमको पेवर्स गिराले, तालुका : पालघर, जिला : ठाणे- 401102	खड़जे के लिए पूर्व दलित कंक्रीट श्रेणी	15658	—	—	2006
41	3792074	9-1-2012	टॉप पेंच इण्डस्ट्रिज, जे- 43, एमआयडीसी, जलगांव, जिला : जलगांव- 425003	स्वचल वाहन- वायवीय टायरों के लिए द्युव-विशिष्ट	13098	—	—	1991
42	3792680	16-1-2012	बी. के. पटेल एण्ड कंपनी, प्लॉट सं. 19 एवं 20, एमएसएसआयडीसी, एट गन्द्रे, वैतरणा नदी के नजदीक, तालुका : वाड़ा जिला : ठाणे-421303	संचकित उठे हुए उच्च घनत्व फाइबर ( एचडीएफ ) के दरवाजों के पल्ले	15380	—	—	2003
43	3800956	6-2-2012	भूषण स्टील लिमिटेड, विलेज: निफान एवं सावरोली, ( खोपोली के नजदीक ) तालुका : खालापूर, जिला-रायगढ़ -410202	संरचना प्रयोजनों के लिए इस्पात नलिकाएँ-विशिष्ट	1161	—	—	1998

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
44	3802152	6-2-2012	ग्लोबल इन्टरप्राइजेस, प्लॉट सं. 1 और 2, गाला सं. 741/पी हिस्सा सं. 5, न्यू सतपती रोड, विलेज : शिरगाँव, तालुका : पालघर (पश्चिम), जिला : थाणे - 401404	घरेलु प्रेशर कुकर	2347	-	-	2006
45	3804156	14-2-2012	विनस सेफ्टी एण्ड हेल्थ प्रा. लि., प्लॉट सं. 1 एवं 3, लाहे विलेज, बात्सा रोड, मुंबई नासिक रोड के नजदीक, शहापुर, जिला: ठाणे : 421601	औद्योगिक सुरक्षा हेलमेट	2925	--	-	1984
46	3804863	8-2-2012	भूषण स्टील लिमिटेड विलेज : निफान साबरोली (खोपोली के नजदीक) तालुका : खालापुर जिला : रायगढ़-410202	जल कूपों के लिए इस्पात नलिकाएँ	4270	-	-	2001
47	3804964	13-2-2012	भूषण स्टील लिमिटेड विलेज : निफान साबरोली (खोपोली के नजदीक) तालुका : खालापुर जिला : रायगढ़-410202	यांत्रिकी और सामान्य अभियांत्रिकी प्रयोजनों के लिए इस्पात नलिकाएँ	3601	-	-	2006
48	3805057	13-2-2012	भूषण स्टील लिमिटेड विलेज : निफान साबरोली (खोपोली के नजदीक) तालुका : खालापुर जिला : रायगढ़-410202	पट्टा कनवेयर के लिए आइडलर हेतु इस्पात पाईप	9295	-	-	1983
49	3805966	17-2-2012	प्रिन्स पाईप्स एण्ड फिटिंग्स प्रा. लि., 132/1/1/3, अथल रोड, विलेज अथल, सिलवासा, जिला : दादरा और नगर हवेली-396230	संवातन और वर्षा जल पध्दती सहित आंतरिक और बाहरी भवनों के लिए मृदा और अपशिष्ट निकासी पध्दती हेतु अप्लैस्टिकित पॉलिविनायल क्लोराइड (युपीवीसी) इंजेक्शन मॉल्डित फिटिंग	14735	-	-	1999
50	3808467	20-2-2012	प्रिन्स एसडब्ल्यूआर सिस्टम लि. सर्वे सं. 100/1/3, विलेज : सयाली, सिलवासा जिला : दादरा और नगर हवेली-396230	जल आपूर्ति हेतु विलायक सीपेंट जोड़ वाले इंजेक्शन मॉल्डित पीवीसी फिटिंग	7834	-	-	1987
51	3808770	2-3-2012	न्यु भारत फायर प्रोटेक्शन सिस्टम प्रा. लि., गट सं. 214 (भाग), दिनकर पाड़ा, विलेज : दादरा, तालुका : वाड़ा, जिला : थाणे - 421312	50 लीटर धारिता पहिए वाले जल प्रकार (गैस कार्ट्रिज) अग्नि शामक	13385	-	-	1992

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
52	3811456	12-3-2012	ड्युरालाइन इंडिया प्रा. लि. प्लॉट सं. 19-22 एवं 37-40, सनकोल इण्डस्ट्रीयल इस्टेट, सनकोल दक्षिण गोवा, गोवा-403726	पेयजल आपूर्ति के लिए उच्च घनत्व पॉलिथिलीन पाइप	4984	—	—	1985
53	3812761	14-3-2012	एसएसपी इन्टरप्राइजेस सी-97, एमआयडीसी, मालेगांव सिन्नर, नासिक-422113	कार्बन और कार्बन मैग्नीज इस्पात की मैनुअल धातु आर्क वैल्डिंग के लिए आवरित इलेक्ट्रोड	814	—	—	2004
54	3812862	14-3-2012	महालक्ष्मी पाइप्स प्रा. लि. प्लॉट जे-16, एमआयडीसी जलगांव, जिला : जलगांव-425003	विद्युत संस्थापनों के लिए नलिकाएं : भाग 3 विद्युतरोधी सामग्री के दृढ़ सादी नलिकाएं ( भामा : 2509 के स्थान में)	9537	3	—	1983
55	3815363	20-3-2012	ओरिअन रोप्स प्रा. लि. डी-59, एमआयडीसी, अवधान, जिला : धुले-424311	झूला पुलों के लिए तार रस्सी और लड़ - विशिष्ट	9282	—	—	2002
56	3817771	22-3-2012	ए-1 फेन्स प्रोडक्ट्स कंपनी प्रा. लि. 35-36, अथल इण्डस्ट्रियल इस्टेट अथल, दादरा और नगर हवेली, सिलवासा-396230	बाड़ लगाने के लिए जस्तीकृत इस्पात के कांटेदार तार	278	—	—	1978
57	3817973	22-3-2012	अल-कान एक्सपोर्ट्स प्रा. लि. शीतल इण्डस्ट्रीयल इस्टेट, गाला सं. 11 से 14, भारत गैस गोदाम से आगे, मीरा-भायंदर रोड, भायंदर-पूर्व, जिला : थाणे-401105	भरप्य योग्य परिवहनी योग्य जोड़ रहित एल्यूमिनियम मिश्र धातु के गैस सिलिंडर	15660	—	—	2006
58	3819068	28-3-2012	हरकुलस हॉस्टस लि. सीटीएस सं. 43/2 बी, 43/5, 45/2, सावरोली खारपाड़ा रोड, विलेज धमनी, खालापूर, जिला : रायगढ़-410202	हस्त चलित जंजीर घरनी ब्लाक	3832	—	—	2005
59	3819876	30-3-2012	ले-ग्रांड इंजीनियरिंग प्रा. लि. प्लॉट सं-21, धिविम इण्डस्ट्रियल इस्टेट, कारास वाड़ा, मापूसा, बारदेज, जिला : उत्तर गोवा, गोवा-403507	पम्प-पुनर्योजी अथवा स्वच्छ ठंडे पानी के लिए विशिष्ट	8472	—	—	1998
60	3821661	30-3-2012	यश पाईप्स एण्ड फिटिंग्स व्ही-74, एमआयडीसी, जिला : जलगांव-425003	पेयजल आपूर्ति के लिए अप्लैस्टिकेट पीवीसी पाईप	4985	—	—	2000

[संदर्भ सी.एम. डी. /13 : 11]

डॉ. एस. एल. पालकर, निदेशक एवं प्रमुख (प्रमाणन विभाग-II)

## (BUREAU OF INDIAN STANDARDS)

New Delhi, the 23rd April, 2012

S.O. 1561.—In pursuance of sub-regulation (6) of regulation 5 of the Bureau of Indian Standards (certification) regulations, 1988, the Bureau of Indian Standards, hereby notifies that the licences particulars of which are given in the following schedule have grant effect from the date indicate against each :

## SCHEDULE

Sr. No.	CML No.	GOL Date	Licensee Name and Address	IS PRODUCT	IS No.	PA	Sec RT	Year
1	2	3	4	5	6	7	8	9
1.	3716765	11-4-2011	Newage Fire Protection India Pvt. Ltd. C-10, Patel Estate, Nilgiri Stop, Next to Flora Hotel, Village Deodal, Vasai Distt. : Thane- 401208	Fire Hose Delivery Couplings, Branch Pipe, Nozzles and Nozzle Spanner (Fourth Revision)	903	—	—	1993
2.	3716967	11-4-2011	New Bharat Fire Protection System (Pvt.) Ltd. Gut No. 214 (Part), Village, Kondla, Dinkar Pada, Tal. Wada, Distt.-Thane-432131	Foam Concentrate for producing Mechanical Foam for Fire Fighting-Specification	4989	—	—	2006
3.	3719569	11-4-2011	Shreedhan Plastics F-2/16, MIDC, Kherdi Chiplun Distt. : Ratnagiri-415605	Rotational Moulded Polyethylene Water Storage Tanks	12701	—	—	1996
4.	3723661	4-5-2011	M. Tech. Industries, Survey No. 185/1/1, Plot No. 19, Docmardi Amli, Silvassa, Distt.-Daman & Diu-396230	Industrial Safety Helmets	2925	—	—	1984
5.	3727063	12-5-2011	Nandini Kitchen Appliances Pvt. Ltd., Gat No. 174/3, Khatwad Road, Talegaon, Taluka : Dindori Distt. : Nashik-422 002	Domestic Pressure Cookers-Specification	2347	—	—	2006
6.	3730456	2-6-2011	Esscon Pipes & Fittings, Plot No. B-242, MIDC, Malegaon, Sinner, Distt : Nashik-422103	Unplasticized PVC Pipes for Potable Water Supplies-Specification	4985	—	—	2000
7.	3731054	3-6-2011	Safex Fire Services, Plot No. 13, Village-Mahim, Taluka-Palghar, Opp. BIDCO Distt. : Thane-401402	Portable Fire Extinguishers Performance and Construction	15683	—	—	2006
8.	3732561	10-6-2011	Newage Fire Protection India Pvt. Ltd., C-10, Patel Estate, Nilgiri Stop, Next to Flora Hotel, Village Deodal Vasai, Distt. : Thane-401208	Landing Valves Third Revision	5390	—	—	1993

1	2	3	4	5	6	7	8	9
9.	3734060	14-6-2011	Mehta Intertrade Steels Pvt. Ltd., Plot No. 42/1B, 42/3A, 48/1B, 49/5, 49/11, Village-Madap, Khalapur, Distt. : Raigarh-410203	Mild Steel Tubes, Tubulars and Other Wrought Steel fittings-Specification-Part 1: Mild Steel Tubes	1239	1	—	2004
10.	3734161	13-6-2011	Mehta Intertrade Steels Pvt. Ltd., Plot No. 42/1B, 42/3A, 48/1B, 49/5, 49/11, Village-Madap, Khalapur, Distt. : Raigarh-410203	Steel Tubes for Structural Purposes-Specification	1161	—	—	1998
11.	3734666	15-6-2011	Shakuntala Metal & Plastic Corpn., Gala No. B-38, A. K. Indl. Estate, Near National Highway, Peller Village Vasai East, Distt. : Thane-401208	Wrought Aluminium Utensils-Part 1 : Cooking Table, Serving Storing and Baking Utensils	1660	1	—	1982
12.	3735163	17-6-2011	Keyur Kitchenware, Kunal Indl. Estate, Gala No. 5 to 9, 13 and 14, Ground Floor, Building No. 3, Near SBI, Gaurapada, Billal Pada Taluka Vasai, Distt. : Thane-401208	Domestic Pressure Cookers-Specification	2347	—	—	2006
13.	3740459	8-7-2011	Mehta Intertrade Steels Pvt. Ltd., Plot No. 42/1B, 42/3A, 48/1B, 49/5, 49/11, Village-Madap, Khalapur, Distt. : Raigarh-410203	Hollow Steel sections for Structural use	4923	—	—	1997
14.	3743364	18-7-2011	Twenty First Century Wire Rods Ltd., Survey No. 130/1 and 130/3, Village Parzai, Khanvel, Silvassa-396230 Distt. : Dadra and Nagar Haveli	Hot Rolled Low, Medium and High Tensile Structural Steel-Specification	2062	—	—	2006
15.	3743566	19-7-2011	Sri Ganapati Industries, V-8, MIDC Area, Ajantha Road, Distt. : Jalgaon-425003	Unplasticized PVC Pipes for Potable Water Supplies-Specification	4985	—	—	2000
16.	3744063	21-7-2011	Tulsi Extrusions Ltd., N-99 & 100, MIDC, Distt. : Jalgaon-425003	Unplasticized PVC Screen and Casing pipes for Bore/Tubewell	12818	—	—	1992
17.	3744568	22-7-2011	Swaastik Aluminium Company Bldg. No. 6, Basement Nirav Bldg. Nr. Gaondevi Temple, Gaondevi Indl. Estate, Opp. Sai Service Station, Sativali, Vasai (E), Distt. -Thane-401208	Domestic Pressure Cookers-Specification	2347	—	—	2006

1	2	3	4	5	6	7	8	9
18.	3745873	27-7-2011	Karamtara Fastners Pvt. Ltd., A-12, MIDC, Tarapur Boisar, Distt. : Thane-401506	Fasteners-Threaded Steel Fasteners-Hexagon Head Transmission Tower Bolts- Specification	12427	-	-	2001
19.	3748879	9-8-2011	Commander Watertech Pvt. Ltd., Mohammed Ali Compound, Block No.-06, Malvani Colony, Malad (West) Mumbai-400095	Plastic Seats and Covers for Water-closets : Part 2 Thermo Plastic Seats and Covers	2548	2	-	1996
20.	3749780	11-8-2011	Bhushan Steel Limited Village : Nifan & Savroli (Near Khopoli) Tal : Khalapur Distt. : Raigarh-410202	Steel Pipes for Water and Sewage (168.3 to 2 540 MM Outside Diameter)-Specification	3589	-	-	2001
21.	3750765	16-8-2011	Riddhi Siddhi Plastic, Rajprabha Landmark Ind. Estate, Building No. 2/A, Gala No. 20, Bhoida Pada, Satavli Road, Vasai (East), Distt. : Thane-401208	Plastic Flushing Cisterns for Waterclosets and Urinals	7231	-	-	1994
22.	3750866	16-8-2011	Riddhi Siddhi Plastic, Rajprabha Landmark Ind. Estate, Building No. 2/A, Gala No. 20, Bhoida Pada, Satavli Road, Vasai (East), Distt. : Thane-401208	Plastic seats and covers for Water-closets : Part 2 Thermo Plastic Seats and Covers	2548	2	-	1996
23.	3752062	17-8-2011	Mylite Electric Industries Plot No. 21A, Mira Co-operative Industrial Estate, N.H. No. 8, Kashimira Mira Road, Distt. : Thane-401104	Conduits for Electrical Installations : Part 3 Rigid Plain Conduits of Insulating Materials (Superseding IS : 2509)	9537	3	-	1983
24.	3752163	16-8-2011	Mylite Electric Industries Plot No. 21A, Mira Co-operative Industrial Estate, N.H. No. 8, Kashimira Mira Road, Distt. : Thane-401104 Maharashtra	Cable Trunking and Ducting systems for Electrical Installations : Part 2 cable trunking and ducting systems intended for mounting on Walls for Ceiling	14927	2	-	2001
25.	3756474	18-8-2011	Topworth Pipes & Tubes Pvt. Ltd., Khopoli-Pali Road, Village-Hedavali Sudhabad, Distt. : Raigarh-401205	Hollow Steel Sections for Structural Use	4923	-	-	1997
26.	3761164	23-9-2011	M K Engineering Co., Gala No. A-2 & 3, Begam Estate, Opp. Ganesh Temple, Lokmanya Tilaknagar, Andheri, Mumbai-400072	Gas Cartridges for use in Fire Extinguishers	4947	-	-	2006
27.	3762368	12-9-2011	Prestress Wire Industries, Survey No. 104/1/1, Umer Coai Road, Falandi Village Silvassa, Distt. : Dadra and Nagar Haveli-396230	Plain Hard-Drawn Steel Wire for Prestressed concrete-Part 1 : Cold Drawn Stress-relieved Wire	1785	1	-	1983

1	2	3	4	5	6	7	8	9
28.	3764776	10-10-2011	Press Fit Pipe & Profile Survey No. 127, Raj Rajeshwari Compound Nr. Bombay Rayon, Sonale Village, Bhivandi, Distt. : Thane-421302	Fittings for Rigid Non-Metallic Conduits	3419	—	—	1988
29.	3765071	11-10-2011	Trikaya Plasto Industries 189/1(4), Panchal Udyog Nagar, Bhimpore, Distt. : Damann Daman & Diu-396210	Conduits for Electrical Installations : Part 3 Rigid Plain Conduits of Insulating materials (Superseding IS : 2509)	9537	3	—	1983
30.	3766477	17-10-2011	Mamta Products Shakti Raj Industrial Compound Gala No. 5, BK No. 969, Station Road Ulhasnagar Distt. : Thane-421003	Burners for Oil Pressure stoves and Oil Pressure Heaters-Specification	8808	—	—	1999
31.	3766881	18-10-2011	Just Accura 124 & 125, Shukla Estate, W.E. Highway Near Ashok Van Dahisar (East), Mumbai-400068	Solar Flat Plate Collector- Specification : Part 1 : Requirements	12933	1	—	2003
32.	3769887	24-10-2011	Kisan Moulding Limited Survey No. 70, 71, 72, 63/1, 64/1 Village-Mahagaon, Boisar (East) Distt. : Thane-401501	Conduits for Electrical Installations : Part 3 Rigid Plain Conduits of Insulating Materials (Superseding IS : 2509)	9537	3	—	1983
33.	3774173	17-11-2011	Komal Enterprises Shed No. 3, Vidhata Compound, Pachava Mile, Kalyan Murbad Road, Kamba, Distt. : Thane-421301	Conduits for Electrical Installations: Part 3 Rigid Plain Conduits of Insulating Materials (Superseding IS : 2509)	9537	3	—	1983
34.	3781978	9-12-2011	Prestress Wire Industries Survey No. 104/1/1, Umer Coai Road, Falandi Village, Silvassa, Distt.-Dadra and Nagar Haveli-396230	Plain Hard-Drawn Steel wire for Prestressed Concrete : Part 2 as Drawn Wire	1785	2	—	1983
35.	3782071	8-12-2011	Star Appliances Pvt. Ltd., Plot No. 13 & 14, Dewan Indl. Estate, Opp. Bank of Maharashtra, Aliyali, Palghar (West), Distt.-Thane-401405	Domestic Pressure Cookers- Specification	2347	—	—	2006
36.	3784479	19-12-2011	Prince Polymers V-53, MIDC Distt-Jalgaon-425003	Unplasticized PVC Pipes for Potable Water Supplies- Specification	4985	—	—	2000
37.	3785380	27-12-2011	Harsh Enterprises Bldg. No. M 2/A, Shree Raj Laxmi Hi-Tech. Textile Ind. Part, Sonale Village, Bhiwandi, Distt.-Thane-421302	Domestic Pressure Cookers- Specification	2347	—	—	2006
38.	3785683	28-12-2011	Mona Traders C-4, Gemnani Compound, Vasar Road, Ambemath (East), Distt. : Thane-421501	Conduits for Electrical Installations: Part 3 Rigid Plain Conduits of Insulating Materials (Superseding IS : 2509)	9537	3	—	1983



1	2	3	4	5	6	7	8	9
39.	3786988	27-12-2011	Ratan Singh & Bros., Survey No. 5, Village Varsava, Ghodbunder Varsava, Distt : Thane-401 104	Precast Concrete Blocks for Paving	15658	-	-	2006
40.	3787081	3-1-2012	Dimko Pavers, Girale, Tal : Palghar, Distt : Thane-401102	Precast Concrete Blocks for Paving	15658	-	-	2006
41.	3792074	9-1-2012	Top Patch Industries, J-43, M.I.D.C. Jalgaon, Distt-Jalgaon-425 003	Automotive Vehicles-Tubes for Pneumatic Tyres-Specification	13098	-	-	1991
42.	3792680	16-1-2012	V K Patel & Co., Plot No. 19 & 20, MSSIDC, At-Gandre, Near Vaithma River, Talwada, Distt : Thane-421 303	Moulded Raised High Density Fibre (HDF) Panel Doors	15380	-	-	2003
43.	3800956	6-2-2012	Bhushan Steel Limited, Village : Nifan & Savroli (Near Khopoli) Tal : Khalapur, Distt : Raigarh-410 202	Steel Tubes for Structural Purposes-Specification	1161	-	-	1998
44.	3802152	6-2-2012	Global Enterprise, Plot No. 1&2, G No. 741/P, Hissa No. 5, New Satpati Road., Village-Shirgaon, Tal. Palghar (W), Distt- Thane-401404	Domestic Pressure Cookers- Specification	2347	-	-	2006
45.	3804156	14-2-2012	Venus Safety & Health Pvt. Ltd., Plot No. 1 & 3, Lahe Village, Batsa Road, Near Mumbai Nashik Road, Shahpur, Distt-Thane-421601	Industrial Safety Helmets	2925	-	-	1984
46.	3804863	8-2-2012	Bhushan Steel Limited, Village : Nifan & Savroli (Near Khopoli), Tal : Khalapur, Distt : Raigarh-410 202	Steel Tubes used for water Wells--Specification	4270	-	-	2001
47.	3804964	13-2-2012	Bhushan Steel Limited, Village : Nifan & Savroli (Near Khopoli), Tal : Khalapur Distt : Raigarh-410 202	Steel Tubes for Mechanical and general engineering purposes	3601	-	-	2006
48.	3805057	13-2-2012	Bhushan Steel Limited, Village : Nifan & Savroli (Near Khopoli), Tal : Khalapur, Distt : Raigarh-410202	Steel Tubes for Idlers for Belt Conveyors	9295	-	-	1983
49.	3805966	17-2-2012	Prince Pipes & Fittings Pvt. Ltd., 132/1/1/3, Athal Road, Village Athal, Silvassa, Distt-Dadra and Nagar Haveli-396 230	Unplasticized Polyvinyl Chloride (UPVC) Injection Molded fittings for Soil and Waste Discharge system for Inside and outside Buildings including ventilation and rain water system— Specification	14735	-	-	1999

1	2	3	4	5	6	7	8	9
50.	3808467	20-2-2012	Prince SWR System Ltd., Survey No. 100/1/3, Village Sayali, Silvassa, Distt-Dadra and Nagar Haveli-396 230	Injection moulded PVC Fittings with Solvent cement for water supplies	7834	1	—	1987
51.	3808770	2-3-2012	New Bharat Fire Protection System Pvt. Ltd., Gut No. 214 (Part), Dinkar Pada, Village-Kondla, Taluka-Wada, Distt-Thane-421 312	Fire Extinguisher 50 Litre Capacity wheel mounted water type (Gas Cartridge)	13385	—	—	1992
52.	3811456	12-3-2012	Duraline India Pvt. Ltd., Plot No. 19-22 & 37-40, Sancoale Industrial Estate, Sancoale, South Goa, Goa-403 726	High Density Poethylene Pipes for Potable water Supplies	4984	—	—	1995
53.	3812761	14-3-2012	SSP Enterprises, C-97, MIDC, Malegaon, Sinnar, Nashik-422 113	Covered electrodes for manual metal are welding of carbon and carbon Manganese steel	814	—	—	2004
54.	3812862	14-3-2012	Mahalaxmi Pipes Pvt. Ltd., Plot J-16, MIDC Jalgaon, Distt : Jalgaon-425 003	Conduits for electrical Installations : Part 3 Rigid Plain Conduits of insulating Materials (Superseding IS : 2509)	9537	3	—	1983
55.	3815363	20-3-2012	Orion Ropes Pvt. Ltd., D-59, MIDC, Avadhan, Distt : Dhule-424 311	Wire Ropes and Strands for suspension bridges- Specification	9282	—	—	2002
56.	3817771	22-3-2012	A-1 Fence Products Company Pvt. Ltd., 35-36, Athal Industrial Estate, Athal, Dadra & Nagar Haveli, Silvassa-396 230	Galvanized Steel Barbed wire for fencing	278	—	—	1978
57.	3817973	22-3-2012	Al-Can Exports Pvt. Ltd., Sheetal Indl., Estate, Gala No. 11 to 14, Next to Bharat Gas Godown, Mira- Bhayander Road, Bhyander (E), Distt : Thane-401 105	Refillable Transportable Aluminium Alloys Gas Cylinders	15660	—	—	2006
58.	3819068	28-03-2012	Hercules Hoists Limited, CTS No. 43/2B, 43/5, 45/2, Savroli Kharpada Road, Village Dhamani, Khalapur, Distt : Raigarh-410202	Hand-operated chain pulley Blocks	3832	—	—	2005
59.	3819876	30-3-2012	Le Grand Engineering Pvt. Ltd, Plot No. 21, Thivim Industrial Estate, Karas Wada, Mapusa, Bardez, Distt : North Goa, Goa-403 507	Pumps-Regenerative or Clear, Cold Water-Specification	8472	—	—	1998
60.	3821661	30-3-2012	Yas and Fittings, V-74, M.I.D.C., Jalgaon-425 003	Unplasticized PVC pipes for Potable water supplies- Specification	4985	—	—	2000

[Ref. CMD/13:11]

Dr. S. L. PALKAR, Director &amp; Head (MDM-II)

## कोयला मंत्रालय

नई दिल्ली, 23 अप्रैल, 2012

का.आ. 1562.—केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपाबद्ध अनुसूची में से उल्लिखित परिक्षेत्र की भूमि में कोयला अभिप्राप्त किए जाने की संभावना है;

अतः, अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उसमें कोयले का पूर्वक्षण करने के अपने आशय की सूचना देती है ;

इस अधिसूचना के अंतर्गत आने वाले क्षेत्र का रेखांक संख्या सी-1(ई)III/एचआर/866-0811, तारीख 18 अगस्त, 2011 का निरीक्षण, वेस्टर्न कोलफील्ड्स लिमिटेड (राजस्व विभाग), कोल ईस्टेट, सिविल लाईन्स, नागपुर -440 001 (महाराष्ट्र) के कार्यालय में या मुख्य महाप्रबंधक (एक्सप्लोरेशन प्रभाग), केन्द्रीय खान योजना और डिजाइन संस्थान, गोंडवाना पॅलेस, कांके रोड, रांची -834 001 के कार्यालय में या कोयला नियंत्रक, 1 कार्डिसल हाउस स्ट्रीट, कोलकाता - 700 001 के कार्यालय में या जिला कलेक्टर, छिन्दवाड़ा (मध्य प्रदेश) के कार्यालय में किया जा सकता है ;

इस अधिसूचना के अंतर्गत आने वाली भूमि में, हितबद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नक्शों, चार्टों और अन्य दस्तावेजों को इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से नब्बे दिन के भीतर, महाप्रबंधक, वेस्टर्न कोलफील्ड्स लिमिटेड, कन्हान क्षेत्र, पोस्ट आफिस डुंगरिया, तहसील जुन्नारदेव, जिला छिन्दवाड़ा (मध्य प्रदेश) या महाप्रबंधक (भूमि और राजस्व), वेस्टर्न कोलफील्ड्स लिमिटेड, राजस्व विभाग, कोल ईस्टेट, सिविल लाईन्स, नागपुर- 440 001 (महाराष्ट्र) को भेजेंगे ।

## अनुसूची

नं. 16/17 ओपनकास्ट फेज -IV

घोरावारी कॉलरी नं. 1, कन्हान क्षेत्र

जिला - छिन्दवाड़ा (मध्य प्रदेश)

[रेखांक संख्या सी-1(ई)III/एचआर/866-0811, तारीख 18 अगस्त, 2011]

क्र.सं.	ग्राम का नाम	पटवारी सर्किल संख्या	तहसील	जिला	क्षेत्रफल (हेक्टर में)	टिप्पणी
1.	घोरावारी खुर्द	06	जुन्नारदेव	छिन्दवाड़ा	6.813	भाग
2.	पुरेना खालशा	22	जुन्नारदेव	छिन्दवाड़ा	29.558	भाग
3.	केकरा निमढ़ाना	22	जुन्नारदेव	छिन्दवाड़ा	0.244	भाग
कुल क्षेत्र : 36.615 हेक्टर (लगभग)						
या 90.47 एकड़ (लगभग)						

## सीमा वर्णन :-

क-ख : रेखा ग्राम घोरावारी खुर्द में बिन्दु 'क' से आरंभ होती है फिर ग्राम घोरावारी खुर्द से गुजरती हुई ग्राम घोरावारी खुर्द और पुरेना खालशा की सम्मिलित ग्राम सीमा पर बिन्दु 'ख' पर मिलती है ।

ख-ग-घ : रेखा ग्राम पुरेना खालशा में बिन्दु 'ग' के पास से गुजरती हुई ग्राम पुरेना खालशा और ग्राम केकरा निमढ़ाना की सम्मिलित ग्राम सीमा को पार करती है और ग्राम केकरा निमढ़ाना में बिन्दु 'घ' पर मिलती है ।

घ-ड-च : रेखा ग्राम केकरा निमढ़ाना से होकर गुजरती है फिर ग्राम केकरा निमढ़ाना और ग्राम पुरेना खालशा की सम्मिलित ग्राम सीमा को पार करती है फिर ग्राम पुरेना खालशा में बिन्दु 'ड' के पास से गुजरती हुई बिन्दु 'च' पर मिलती है ।

च-छ-क : रेखा ग्राम पुरेना खालशा से होकर गुजरती है फिर ग्राम पुरेना खालशा और ग्राम घोरावारी खुर्द की सम्मिलित ग्राम सीमा को पार करती है फिर ग्राम घोरावारी खुर्द में बिन्दु 'छ' के पास से गुजरती हुई आरंभिक बिन्दु 'क' पर मिलती है ।

[फा. सं. 43015/13/2011-पीआरआईडब्ल्यू-1]

ए. के. दास, अवर सचिव

## MINISTRY OF COAL

New Delhi, the 23rd April, 2012

**S.O. 1562.**—Whereas, it appears to the Central Government that Coal is likely to be obtained from the lands in the locality mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), (hereinafter referred to as the said Act), for all rights the Central Government hereby gives notice of its intention to prospect for coal therein;

The plan bearing number C-1(E)III/HR/866-0811, dated 18th August, 2011 of the area covered by this notification can be inspected in the office of the Western Coalfields Limited (Revenue Department), Coal Estate, Civil Lines, Nagpur-440 001 (Maharashtra) or at the office of the Chief General Manager (Exploration Division), Central Mine Planning and Design Institute, Gondwana Palace, Kanke Road, Ranchi-834 001 or at the office of the Coal Controller, 1 Council House Street, Kolkata - 700001 or at the office of the District Collector, Chhindwara (Madhya Pradesh);

All persons interested in the lands covered by this notification shall deliver all maps charts and other documents referred to in sub-section (7) of Section 13 of the said Act to the office of the General Manager, Western Coalfields Limited, Kanhan Area, Post Office Dungaria, Tahsil Junnardeo, District Chhindwara (Madhya Pradesh) or General Manager (Land & Revenue), Western Coalfields Limited, Revenue Department, Coal Estate, Civil Lines, Nagpur - 440 001 (Maharashtra) within ninety days from the date of publication of this notification in the Official Gazette.

## SCHEDULE

No. 16/17 Opencast Phase-IV  
Ghorawari Colliery No.1, Kanhan Area  
District- Chhindwara (Madhya Pradesh)

[Plan bearing number C-1(E)III/HR/866-0811, dated 18th August, 2011]

S1. No.	Name of Village	Patwari Circle Number	Tahsil	District	Area (in hectares)	Remarks
1.	Ghorawari Khurd	06	Junnardeo	Chhindwara	6.813	Part
2.	Purena Khalsha	22	Junnardeo	Chhindwara	29.558	Part
3.	Kekra Neemdhana	22	Junnardeo	Chhindwara	0.224	Part

Total area : 36.615 hectares (approximately)  
or 90.47 acres (approximately)

## Boundary description:

- A-B: Line starts from Point 'A' in village Ghorawari Khurd, then passes through village Ghorawari Khurd and meets on common village boundary of villages Ghorawari Khurd and Purena Khalsha at Point 'B'.
- B-C-D: Line passes nearby Point 'C' through village Purena Khalsha, then crosses common villages boundary of villages Purena Khalsha and Kekra Neemdhana and meets at Point 'D' in village Kekra Neemdhana.
- D-E-F: Line passes through village Kekra Neemdhana, then crosses common village boundary of villages Kekra Neemdhana and Purena Khalsha then passes nearby Point 'E' through village Purena Khalsha and meets at Point 'F'.
- F-G-A: Line passes through village Purena Khalsha, then crosses common village boundary of villages Purena Khalsha and Ghorawari Khurd, then passes nearby Point 'G' through village Ghorawari Khurd and meets at starting Point 'A'.

[F. No. 43015/13/2011-PRIW-I]

A. K. DAS, Under Secy.

आदेश

नई दिल्ली, 24 अप्रैल, 2012

**का.आ. 1563.**—कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 9 की उपधारा (1) के अधीन जारी की गई भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्यांक

का.आ. 2521 तारीख, 6 सितम्बर 2011, जो भारत के राजपत्र, भाग-II, खंड 3, उपखंड (ii), तारीख 17 सितम्बर, 2011 में प्रकाशित होने पर, उक्त अधिसूचना से संलग्न अनुसूची में वर्णित भूमि और भूमि में या उस पर के भू-सतह अधिकार (जिसे इसमें इसके पश्चात् उक्त भूमि कहा गया है) उक्त अधिनियम की धारा 10 की उपधारा (1) के अधीन, सभी विल्लंगों से मुक्त होकर, आत्मांतिक रूप से केन्द्रीय सरकार में निहित हो गए थे ;

और केन्द्रीय सरकार का यह समाधान हो गया है कि साउथ ईस्टर्न कोलफील्ड्स लिमिटेड, सीपत रोड, डाकपेटी संख्या 60, जिला-बिलासपुर-495006 (छत्तीसगढ़) (जिसे इसमें इसके पश्चात् उक्त सरकारी कम्पनी कहा गया है), ऐसे निबंधनों और शर्तों का जो केन्द्रीय सरकार इस निमित्त अधिरोपित करना उचित समझे, अनुपालन करने के लिये तैयार है ;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि इस प्रकार निहित उक्त 12.418 हेक्टर (लगभग) अथवा 30.68 एकड़ (लगभग) भूमि और उस पर के भू-सतह अधिकार तारीख 17 सितम्बर, 2011 से केन्द्रीय सरकार में इस प्रकार निहित बने रहने की बजाय, निम्नलिखित निबंधनों और शर्तों के अधीन रहते हुए, उक्त सरकारी कम्पनी में निहित हो जाएंगे, अर्थात् :-

1. सरकारी कम्पनी, उक्त अधिनियम के उपबंधों के अधीन यथा अवधारित प्रतिकर, ब्याज, नुकसान और वैसी ही मदों की बाबत किए गए सभी संदायों की केन्द्रीय सरकार को प्रतिपूर्ति करेगी ;

2. सरकारी कम्पनी द्वारा शर्त (1) के अधीन, केन्द्रीय सरकार को संदेय रकमों का अवधारण करने के प्रयोजन के लिये उक्त अधिनियम की धारा 14 के अधीन एक अधिकरण का गठन किया जाएगा तथा ऐसे किसी अधिकरण और ऐसे अधिकरण की सहायता करने के लिये नियुक्त व्यक्तियों के संबंधों में उपगत सभी व्यय, उक्त कम्पनी द्वारा वहन किये जायेंगे और इसी प्रकार निहित उक्त भूमि में या उस पर के अधिकार के लिये या उसके संबंध में जैसे अपील आदि सभी विधिक कार्यवाहियों की बाबत उपगत, सभी व्यय भी, इसी प्रकार उक्त सरकारी कम्पनी द्वारा वहन किये जाएंगे ;

3. सरकारी कम्पनी, केन्द्रीय सरकार या उसके पदधारियों की, ऐसे किसी अन्य व्यय के संबंध में, क्षतिपूर्ति करेगी जो इस प्रकार निहित उक्त भूमि में या उस पर के अधिकारों के बारे में केन्द्रीय सरकार या उसके पदधारियों द्वारा या उनके विरुद्ध किन्हीं कार्यवाहियों के संबंध में आवश्यक हो ;

4. सरकारी कम्पनी को, केन्द्रीय सरकार के पूर्व अनुमोदन के बिना, उक्त भूमि और भूमि में या उसके ऊपर इस प्रकार निहित अधिकार को किसी अन्य व्यक्ति को अंतरित करने की शक्ति नहीं होगी ; और

5. सरकारी कम्पनी, ऐसे निदेशों और शर्तों का, जो केन्द्रीय सरकार द्वारा, जब कभी आवश्यक हो, उक्त भूमियों के विशिष्ट क्षेत्रों के लिये दिए जाएं या अधिरोपित की जाए, पालन करेगी ।

[फा. सं. 43015/05/2010-पीआरआईडब्ल्यू-1]

ए. के. दास, अवर सचिव

### ORDER

New Delhi, the 24th April, 2012

**S.O. 1563.**—Whereas on the publication of the notification of the Government of India in the Ministry of Coal number S.O. 2521 dated the 6th September, 2011 published in the Gazette of India, Part-II, Section-3, sub-section (ii) dated the 17th September, 2011 issued under sub-section (1) of Section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the lands as Surface Rights in or over the land described in the Schedule appended to the said notification (hereinafter referred to as the said land) vested absolutely in the Central Government free from all encumbrances under sub-section (1) of Section 10 of the said Act.

And, Whereas the Central Government is satisfied that the South Eastern Coalfields Limited, Seepat Road, Post Box No. 60, District-Bilaspur-495006 (Chhattisgarh) (hereinafter referred to as the Government Company) is willing to comply with such terms and conditions as the Central Government thinks fit to impose in this behalf.

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 11 of the said Act, the Central Government hereby direct that the Surface Rights of 12.418 hectares (approximately) or 30.68 acres (approximately) in or over the said lands so vested shall with effect from 17th September, 2011 instead of continuing to so vest in the Central Government shall vest in the Government Company subject to the following terms and conditions, namely:—

1. The Government Company shall reimburse to the Central Government all payments made in respect of compensation, interest, damages and the like as determined under the provisions of the said Act.

2. A Tribunal shall be constituted under Section 14 of the said Act, for the purpose of determining the amounts payable to the Central Government by the Government Company under conditions (1), and all expenditure incurred in connection with any such tribunal and persons appointed to assist the tribunal shall be borne by the Government Company and similarly, all expenditure incurred in respect of all legal proceedings like appeals etc. for or in connection with the rights in or over the said lands so vesting shall also be borne by the Government Company.

3. The Government Company shall indemnify the Central Government or its officials against any other expenditure that may be necessary in connection with any proceedings by or against the Central Government or its officials regarding the rights in or over the said lands so vesting.

4. The Government Company shall have no power to transfer the said lands to any other persons without the prior approval of the Central Government ; and

5. The Government Company shall abide by such direction and conditions as may be given or imposed by the Central Government for particular areas of the said lands as and when necessary.

[F.No. 43015/05/2010-PRJW-I]

A. K. DAS, Under Secy.

नई दिल्ली, 24 अप्रैल, 2012

का.आ. 1564.—केन्द्रीय सरकार कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (1) के अधीन भारत सरकार में कोयला मंत्रालय के द्वारा जारी की गई अधिसूचना संख्या का.आ. 2266 तारीख 24 अगस्त, 2011 जो भारत के राजपत्र के भाग II, खंड 3, उप-खंड (ii), तारीख 27 अगस्त, 2011 में प्रकाशित की गई थी, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि में जिसका माप 91.678 हेक्टर (लगभग) या 226.54 एकड़ (लगभग) है, कोयले का पूर्वक्षण करने के अपने आशय की सूचना दी थी ;

और केन्द्रीय सरकार का यह समाधान हो गया है कि उक्त भूमि के एक भाग में कोयला अभिप्राप्त है ।

अतः, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए इससे संलग्न अनुसूची में वर्णित 87.646 हेक्टर (लगभग) या 216.57 एकड़ (लगभग) माप की उक्त भूमि का अर्जन करने के अपने आशय की सूचना देती है ;

टिप्पण 1 : इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक संख्या एसईसीएल/बीएसपी/जीएम(पीएलजी)/भूमि/417 तारीख 4 नवम्बर, 2011 का निरीक्षण कलेक्टर, जिला-अनूपपुर (मध्य प्रदेश) के कार्यालय में या कोयला नियंत्रक, 1, कार्डसिल हाउस स्ट्रीट, कोलकाता-700001 के कार्यालय में या साउथ ईस्टर्न कोलफील्ड्स लिमिटेड (राजस्व अनुभाग), सीपत रोड, बिलासपुर-495006 (छत्तीसगढ़) के कार्यालय में किया जा सकता है ।

टिप्पण 2 : उक्त अधिनियम की धारा 8 के उपबंधों की ओर ध्यान आकृष्ट किया जाता है, जिसमें निम्नलिखित उपबंध है :—

अर्जन के बाबत् आपत्तियाँ :

“8(1) कोई व्यक्ति जो किसी भूमि में जिसकी बाबत् धारा 7 के अधीन अधिसूचना निकाली गई है, हितबद्ध है, अधिसूचना के निकाले जाने से तीस दिन के भीतर सम्पूर्ण भूमि या उसके किसी भाग या ऐसी भूमि में या उस पर के किन्हीं अधिकारों का अर्जन किए जाने के बारे में आपत्ति कर सकेगा ।

स्पष्टीकरण,—

- (1) इस धारा के अन्तर्गत यह आपत्ति नहीं मानी जाएगी कि कोई व्यक्ति किसी भूमि में कोयला उत्पादन के लिए स्वयं खनन सक्रियाएं करना चाहता है और ऐसी सक्रियाएं केन्द्रीय सरकार या किसी अन्य व्यक्ति को नहीं करनी चाहिए ।
- (2) उप-धारा (1) के अधीन प्रत्येक आपत्ति सक्षम अधिकारी को लिखित रूप में की जाएगी और सक्षम अधिकारी, आपत्तिकर्ता को स्वयं सुने जाने, विधि व्यवसायी द्वारा सुनवाई का अवसर देगा और ऐसी सभी आपत्तियों को सुनने के पश्चात् और ऐसी अतिरिक्त जाँच, यदि कोई हो, करने के पश्चात्, जो वह आवश्यक समझता है, वह या तो धारा 7 की उप-धारा (1) के अधीन अधिसूचित भूमि का या ऐसी भूमि में या उस पर के अधिकारों के संबंध में एक रिपोर्ट या ऐसी भूमि के विभिन्न टुकड़े या ऐसी भूमि में या उस पर के अधिकारों के संबंध में आपत्तियों पर अपनी सिफारिशों और उसके द्वारा की गई कार्यवाही के अभिलेख सहित विभिन्न रिपोर्ट केन्द्रीय सरकार को उसके विनिश्चय के लिए देगा ।

- (3) इस धारा के प्रयोजनों के लिए वह व्यक्ति किसी भूमि में हितबद्ध समझा जाएगा जो प्रतिकर में हित का दावा करने का हकदार होगा, यदि भूमि या किसी ऐसी भूमि में या उस पर के अधिकार इस अधिनियम के अधीन अर्जित कर लिए जाते हैं।"

टिप्पण 3 : केन्द्रीय सरकार ने कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कोलकाता-700001 को उक्त अधिनियम के अधीन भारत के राजपत्र, भाग II, खंड 3, उप-खंड (ii), तारीख 4 अप्रैल, 1987 में प्रकाशित अधिसूचना संख्या का.आ. 905, तारीख 20 मार्च, 1987 उक्त अधिनियम की धारा 3 के अधीन सक्षम प्राधिकारी नियुक्त किया है।

### अनुसूची

कपिलधारा भूमिगत खदान, हसदेव क्षेत्र;

जिला-अनूपपुर ( मध्य प्रदेश )

[ रेखांक संख्या-एसईसीएल/बीएसपी/जीएम(पीएलजी)/भूमि/417 तारीख 4 नवम्बर, 2011 ]

भू-सतह अधिकार :

क्र.सं.	ग्राम का नाम	पटवारी हल्का नम्बर	जनरल नम्बर	तहसील	जिला	क्षेत्र हेक्टर में	टिप्पण
1.	परसापानी	20	586	कोतमा	अनूपपुर	12.338	भाग
2.	दलदल	20	428	कोतमा	अनूपपुर	75.308	भाग

कुल :— 87.646 हेक्टर ( लगभग ) या 216.57 एकड़ ( लगभग )

- ग्राम परसापानी ( भाग ) में अर्जित किए जाने वाले प्लॉट संख्या : 68( भाग ), 69, 70, 71, 72, 73, 74.
- ग्राम दलदल ( भाग ) में अर्जित किए जाने वाले प्लॉट संख्या : 47 ( भाग ), 49 से 86, 224 से 243.

सीमा वर्णन :—

- क-ख : रेखा ग्राम परसापानी में बिन्दु 'क' से आरंभ होती है और प्लॉट संख्या 68, 69, 72 के पश्चिमी सीमा से गुजरती हुई ग्राम परसापानी-दलदल के सम्मिलित सीमा में बिन्दु 'ख' पर मिलती है।
- ख-ग : रेखा ग्राम दलदल के प्लॉट संख्या 224, 227, 225, 226, 229, 230, 231, 232, 233, 234, 236, 237, 242, 71, 72, 73, 76, 83, 84, 85, 86, 47 के पश्चिमी सीमा से गुजरती हुई ग्राम बिजुरी-दलदल के सम्मिलित सीमा में बिन्दु "ग" पर मिलती है।
- ग-घ : रेखा ग्राम दलदल के प्लॉट संख्या 47, 85, 82, 50, 49, 52, 53, 54, 57, 58 के उत्तरी सीमाएं प्लॉट संख्या 59, 243, 242 के पूर्वी सीमा से गुजरती हुई बिन्दु "घ" पर मिलती है।
- घ-ङ : रेखा ग्राम दलदल के प्लॉट संख्या 241, 240, 238, 229, 227, 228, 224 के पूर्वी सीमा से होती हुई बिन्दु "ङ" पर मिलती है।
- ङ-क : रेखा ग्राम परसापानी के प्लॉट संख्या 73, 74, 70, 68 के पूर्वी सीमा से होती हुई आरंभिक बिन्दु "क" पर मिलती है।

[ फा. सं. 43015/06/2011-पीआरआईडब्ल्यू-1 ]

ए. के. दास, अवर सचिव

New Delhi, the 24th April, 2012

S.O. 1564.—Whereas by the notification of the Government of India in the Ministry of Coal number S.O. 2266 dated the 24th August, 2011 issued under sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act) and published in the Gazette of India, Part II, Section 3, Sub-section (ii) dated the 27th August, 2011, the Central Government gave notice of its intention to prospect for coal in 91.678 hectares (approximately) or 226.54 acres (approximately) of the lands in the locality specified in the schedule annexed to that notification;

And whereas the Central Government is satisfied that coal is obtainable in a part of the said lands prescribed in the Schedule(s) appended to this notification.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 7 of the said Act, the Central Government hereby gives notice of its intention to acquire the land measuring 87.646 hectares (approximately) or 216.57 acres (approximately) as Surface Rights in or over the said lands described in the schedule appended hereto :

**Note 1 :** The plan bearing number SECL/BSP/GM (PLG)/LAND/417 dated the 4th November, 2011 of the area covered by this notification may be inspected at the office of the Collector, Anuppur (Madhya Pradesh) or at the office of the Coal Controller, 1, Council House Street, Kolkata -700001 or at the office of the South Eastern Coalfields Limited (Revenue Section), Seepat Road, Bilaspur, 495006 (Chhattisgarh).

**Note 2 :** Attention is hereby invited to the provisions of section 8 of the said Act which provides as follows:—

**Objection to Acquisition :**

“8(1) Any person interested in any land in respect of which a notification under sub-section (1) of section 7 has been issued, may, within thirty days of the issue of the notification, object to the acquisition of the whole or any part of the land or any rights in or over such land.

**Explanation,—**

- (1) It shall not be an objection within the meaning of this section for any person to say that he himself desires to undertake mining operation in the land for the production of coal and that such operation should not be undertaken by the Central Government or by any other person.
- (2) Every objection under sub-section (1) shall be made to the competent authority in writing, and the competent authority shall give the objector an opportunity of being heard either in person or by a legal practitioner and shall, after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, either makes a report in respect of the land which has been notified under sub-section (1) of section 7 or of rights in or over such land, or make different reports in respect of different parcels of such land or of rights in or over such land, to the Central Government, containing his recommendations on the objections, together with the record of the proceedings held by him, for the decision of the Government.
- (3) For the purposes of this section, a person shall be deemed to be interested in land who would be entitled to claim an interest in compensation if the land or any rights in or over such land were acquired under this Act,”

**Note 3 :** The Coal Controller, 1, Council House Street, Kolkata-700001, has been appointed by the Central Government as the competent authority under section 3 of the said Act, vide notification number S.O. 905, dated the 20th March, 1987, published in Part II, Section 3, Sub-section (ii) of the Gazette of India, dated the 4th April, 1987.

**SCHEDULE**

**Kapildhara U/G Mine, Hasdeo Area  
District- Anuppur (Madhya Pradesh)**

[Plan bearing number SECL/BSP/GMCPLG)/LAND/ 417 dated the 4th November, 2011]

**Surface Rights :**

S1. No.	Name of Village	Patwari halka number	General number	Tahsil	District	Area in hectares	Remarks
1.	Parsapani	20	586	Kotma	Anuppur	12.338	Part
2.	Daldal	20	428	Kotma	Anuppur	75.308	Part

**Total : 87.646 hectares (approximately) or 216.57 acres (approximately)**

1. Plot numbers to be acquired in village Parsapani (Part) : 68(P), 69, 70, 71, 72, 73, 74.

2. Plot numbers to be acquired in village Daldal (Part) : 47(P), 49 to 86, 224 to 423.

**Boundary description :**

A-B : Line starts from point 'A' in village Parsapani and passes along western boundary of plot number 68, 69, 72 and meets at point 'B' on the common boundary of villages Parsapani-Daldal.



- B-C: Line passes in village Daldal along western boundary of plot number 224, 227, 225, 226, 229, 230, 231, 232, 233, 234, 236, 237, 242, 71, 72, 73, 76, 83, 84, 85, 86, 47 and meets at point 'C' on the common boundary of villages Bijuri-Daldal.
- C-D: Line passes in village Daldal along northern boundary of plot number 47, 85, 82, 50, 49, 52, 53, 54, 57, 58 eastern boundary of plot number 59, 243, 242 and meets at point 'D'.
- D-E: Line passes in village Daldal along eastern boundary of plot number 241, 240, 238, 229, 227, 228, 224 and meets at point 'E'.
- E-A: Line passes in village Parsapani along eastern boundary of plot number 73, 74, 70, 68 and meets at starting point 'A'.

[F. No. 43015/06/2011-PRIW-I]

A. K. DAS, Under Secy.

नई दिल्ली, 24 अप्रैल, 2012

का.आ. 1565.—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसका पश्चात् उक्त अधिनियम कहा गया है) की धारा 7 की उपधारा (1) के अधीन जारी भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्या का.आ. 1981 तारीख 20 जुलाई, 2011 जो भारत के राजपत्र, भाग II, खण्ड 3, उपखण्ड (ii) तारीख 30 जुलाई, 2011 में प्रकाशित की गई थी, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि का अर्जन करने के अपने आशय की सूचना दी थी।

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 8 के अनुसरण में केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार को पूर्वोक्त रिपोर्ट पर विचार करने के पश्चात् और छत्तीसगढ़ सरकार से परामर्श करने के पश्चात् यह समाधान हो गया है, कि:-

(क) इससे संलग्न अनुसूची "क" में वर्णित 949.240 हेक्टर (लगभग) या 2345.57 एकड़ (लगभग) माप वाली भूमि में खनिजों के खनन, खदान, बोर करने, उनकी खुदाई करने और तलाश करने, उन्हें प्राप्त करने, उन पर कार्य करने और उन्हें ले जाने के खनन अधिकार ; और

(ख) इससे संलग्न अनुसूची "ख" में वर्णित 11.88 हेक्टर (लगभग) या 29.35 एकड़ (लगभग) माप वाली भूमि में या उस पर के सभी अधिकारों को अर्जित किया जाना चाहिये।

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 9 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है, कि :-

(क) अनुसूची "क" में वर्णित 949.240 हेक्टर (लगभग) या 2345.57 एकड़ (लगभग) माप वाली भूमि में खनिजों के खनन, खदान, बोर करने, उनकी खुदाई करने और तलाश करने, उन्हें प्राप्त करने, उन पर कार्य करने और उन्हें ले जाने के खनन अधिकार ; और

(ख) अनुसूची "ख" में वर्णित 11.88 हेक्टर (लगभग) या 29.35 एकड़ (लगभग) माप वाली भूमि में या उस पर के सभी अधिकारों को अर्जित किया जाता है।

इस अधिसूचना के अंतर्गत आने वाले क्षेत्र के रेखांक संख्या एसईसीएल/बीएसपी/जीएम (पीएलजी)/भूमि/415 तारीख 4 नवम्बर, 2011 का निरीक्षण कलेक्टर, जिला-कोरिया (छत्तीसगढ़) के कार्यालय में या कोयला नियंत्रक, 1, कार्डसिल हाउस स्ट्रीट, कोलकाता -700001 के कार्यालय में या साउथ ईस्टर्न कोलफील्ड्स लिमिटेड (राजस्व अनुभाग), सीपत रोड, बिलासपुर-495006 (छत्तीसगढ़) के कार्यालय में किया जा सकता है।

## अनुसूची "क"

चरछा और चरछा पश्चिम यूजी ब्लॉक,  
बैकुण्ठपुर क्षेत्र, जिला-कोरिया (छत्तीसगढ़)

[रेखांक संख्या-एसईसीएल/बीएसपी/जीएम(पीएलजी)/भूमि/415 तारीख 4 नवम्बर, 2011]

## खनन अधिकार :

## ब्लॉक -I:

## (क) राजस्व भूमि :

क्र.सं.	ग्राम का नाम	पटवारी हल्का संख्या	ग्राम संख्या	तहसील	जिला	क्षेत्र हेक्टर में	टिप्पणियां
1.	कटघोरी	8	31	सोनहत	कोरिया	148.690	भाग
2.	मधोरा	9	174	सोनहत	कोरिया	133.430	भाग
3.	नौगई	9	141	सोनहत	कोरिया	199.030	भाग
4.	कुशमहा	8	42	सोनहत	कोरिया	41.740	भाग
5.	प्रकाशपुर	9	146	सोनहत	कोरिया	12.640	भाग
6.	पुसला	8	158	सोनहत	कोरिया	8.410	भाग
7.	फाड़पारा	9	151	सोनहत	कोरिया	18.360	भाग

कुल :- 562.300 हेक्टर (लगभग) या 1389.44 एकड़ (लगभग)

## (ख) राजस्व वन भूमि :

क्र.सं.	ग्राम का नाम	पटवारी हल्का संख्या	ग्राम संख्या	तहसील	जिला	क्षेत्र हेक्टर में	टिप्पणियां
1.	कटघोरी	8	31	सोनहत	कोरिया	5.760	भाग
2.	मधोरा	9	174	कोतमा	कोरिया	25.930	भाग
3.	नौगई	9	141	सोनहत	कोरिया	8.590	भाग
4.	कुशमहा	8	42	सोनहत	कोरिया	9.990	भाग
5.	प्रकाशपुर	9	146	सोनहत	कोरिया	0.370	भाग
6.	पुसला	8	158	सोनहत	कोरिया	1.170	भाग

कुल :- 51.810 हेक्टर (लगभग) या 128.02 एकड़ (लगभग)

## (ग) वन भूमि :

क्र.सं.	वन का नाम	वन का प्रकार	उपखंड संख्या	रेंज	वनमण्डल	क्षेत्र हेक्टर में	टिप्पणियां
1.	कछारडांड	आरक्षित वन	415	बैकुण्ठपुर	कोरिया	187.190	भाग
2.	सोनारी	आरक्षित वन	417	बैकुण्ठपुर	कोरिया	101.330	भाग

कुल :- 288.520 हेक्टर (लगभग) या 712.93 एकड़ (लगभग)

## ब्लॉक - II :

## (क) राजस्व भूमि :

क्र.सं.	ग्राम का नाम	पटवारी हल्का सं.	ग्राम संख्या	तहसील	जिला	क्षेत्र हेक्टर में	टिप्पणियां
1.	लब्जी	8	219	सोनहत	कोरिया	44.250	भाग

कुल :- 44.250 हेक्टर (लगभग) या 109.34 एकड़ (लगभग)

## (ख) राजस्व वन भूमि :

क्र.सं.	ग्राम का नाम	पटवारी हल्का सं.	ग्राम संख्या	तहसील	जिला	क्षेत्र हेक्टर में	टिप्पणियां
1.	लब्जी	8	219	सोनहत	कोरिया	2.360	भाग

कुल :- 2.360 हेक्टर (लगभग) या 5.83 एकड़ (लगभग)

कुल राजस्व भूमि = 562.300+44.250=606.550 हेक्टर या 1498.78 एकड़ (लगभग)

कुल राजस्व वन भूमि = 51.810+2.360 =54.170 हेक्टर या 133.85 एकड़ (लगभग)

कुल योग = 606.550+54.170+288.520 = 949.240 हेक्टर या 2345.57 एकड़ (लगभग)

1. ग्राम कटघोरी (भाग) में अर्जित किए जाने वाले प्लॉट संख्या 787(भाग), 788(भाग), 789, 790, 791 (भाग), 792(भाग), 793 (भाग), 794 (भाग), 795 (भाग), 855(भाग), 856(भाग), 857(भाग), 858(भाग), 859(भाग), 860(भाग), 861(भाग), 862, 862/1576, 863, 898 से 899 (भाग), 900 से 998, 998/1594, 999 से 1028, 1029(भाग), 1030 से 1032, 1033(भाग), 1056(भाग), 1057(भाग), 1069(भाग), 1070(भाग), 1071(भाग), 1072 से 1087, 1087/1582, 1088 से 1147, 1148(भाग), 1149(भाग), 1150(भाग), 1151(भाग), 1163(भाग), 1198(भाग), 1316, 1317(भाग), 1318(भाग), 1320(भाग), 1321 से 1339, 1339/1489, 1340 से 1358, 1358/1583, 1359, 1360, 1361(भाग), 1362(भाग), 1375/1596, 1376 से 1383, 1384(भाग), 1385(भाग), 1386(भाग), 1388(भाग), 1416(भाग), 1417(भाग), 1418(भाग), 1419 से 1435, 1436(भाग), 1437(भाग), 1438(भाग), 1567(भाग), 1569(भाग), 1570, 1571(भाग) ।

2. ग्राम मधोरा (भाग) में अर्जित किए जाने वाले प्लॉट संख्या: 8(भाग), 15(भाग), 16, 17/1(भाग), 17/2(भाग), 18 से 34, 35(भाग), 36, 37(भाग), 38, 39/1(भाग), 39/2(भाग), 42, 43(भाग), 56(भाग), 57 से 70, 71(भाग), 72, 73(भाग), 74, 75(भाग), 76(भाग), 77(भाग), 107(भाग), 108(भाग), 121(भाग), 126(भाग), 127(भाग), 128, 129(भाग), 130, 131, 131/457, 132 से 244, 245(भाग), 246, 247(भाग), 248(भाग), 250(भाग), 285(भाग), 287 से 333, 333/2, 333/3, 333/5, 334 से 365, 366(भाग), 367, 368, 369, 370(भाग), 373(भाग), 374(भाग), 376(भाग), 392(भाग), 394(भाग), 395, 396(भाग), 397 से 424, 425(भाग), 432(भाग), 433 से 455.

3. ग्राम नौगाँई (भाग) में अर्जित किए जाने वाले प्लॉट संख्या 3 से 390, 391/1, 391/2, 392 से 414, 415(भाग), 416(भाग), 417 से 421, 422(भाग), 423 से 453, 454(भाग), 455(भाग), 476, 478(भाग), 489(भाग), 490(भाग), 491 से 495, 496(भाग), 497(भाग), 499(भाग), 517(भाग), 546(भाग), 547 से 550, 551(भाग), 552, 553, 554(भाग), 555 से 565, 566(भाग), 567(भाग) 568 से 578, 579(भाग), 580(भाग), 581(भाग), और 582(भाग).

4. ग्राम कुशमहा (भाग) में अर्जित किए जाने वाले प्लॉट संख्या 7(भाग), 8 से 10, 11(भाग), 12, 13(भाग), 14, 15(भाग), 19(भाग), 20(भाग), 21(भाग), 22 से 31, 32(भाग), 33 से 35, 36(भाग), 37 से 53, 54(भाग), 55(भाग), 58(भाग), 59(भाग), 61(भाग), 67(भाग), 68(भाग), 69 से 75, 76(भाग), 77 से 82, 83(भाग), 84(भाग), 85(भाग), 86, 86/358, 87, 88, 89(भाग), 92(भाग), 93(भाग), 100(भाग), 101(भाग), 102, 109, 110(भाग), 112(भाग), 114(भाग), 115, 116(भाग), 118(भाग), 119(भाग), 120, 121(भाग), 122(भाग), 123(भाग), 126(भाग), 127(भाग).

5. ग्राम प्रकाशपुर (भाग) में अर्जित किए जाने वाले प्लॉट संख्या: 1 से 5, 6(भाग), 8(भाग), 9(भाग), 10(भाग), 11(भाग), 12, 13(भाग), 15(भाग), 27(भाग), 30(भाग), 38, 39(भाग), 40(भाग), 41(भाग), 42(भाग), 43(भाग), 59(भाग), 60(भाग), 61(भाग), 62(भाग), 63 से 65, 66(भाग), 67, 68, 69(भाग), 70, 71(भाग), 72(भाग), 86(भाग).

6. ग्राम पुसला (भाग) में अर्जित किए जाने वाले प्लॉट संख्या: 604, 607(भाग), 608(भाग), 609(भाग), 610(भाग), 615(भाग), 616(भाग), 634(भाग), 635(भाग), 638(भाग), 639(भाग), 640, 641, 642(भाग), 643, 644, 645(भाग), 646 से 651, 658(भाग), 659(भाग), 661(भाग), 662 से 667, 668(भाग), 669, 670(भाग), 672/1(भाग), 672/2(भाग), 673, 674(भाग), 675 से 677, 678(भाग), 679, 680, 681(भाग).

7. ग्राम फाड़पारा (भाग) में अर्जित किए जाने वाले प्लॉट संख्या: 1 से 46, 56(भाग), 63 से 67, 68(भाग), 70(भाग).

8. ग्राम लब्जी (भाग) में अर्जित किए जाने वाले प्लॉट संख्या: 77(भाग), 78, 79(भाग), 81(भाग), 143(भाग), 144(भाग), 145, 146, 147(भाग), 148 से 156, 157(भाग), 158 से 179, 180(भाग), 181, 182(भाग), 184(भाग), 191(भाग), 192(भाग), 193(भाग), 253(भाग), 256(भाग), 257(भाग), 258, 259(भाग), 260, 261, 262(भाग), 263, 264, 265(भाग), 280(भाग), 281(भाग), 284(भाग), 285 से 339.

सीमा वर्णन :-

ब्लॉक - I :

- क-ख रेखा ग्राम पुसला बिन्दु 'क' से आरंभ होती है और ग्राम पुसला के प्लॉट संख्या 634, 635, 638, 616, 615, 670, 638, 642, 644, 645, 610, 609, 608, 607 से होकर 604 के उत्तरी सीमा से गुजरती हुई ग्राम कुशमहा में प्रवेश कर प्लॉट संख्या 85, 84, 83, 68, 67, 54, 55, 58, 59, 61, 21, 20, 19, 13, 15, 11, 7 से होती हुई ग्राम कुशमहा के सीमा में बिन्दु "ख" पर मिलती है ।
- ख-ग रेखा कछार डांड आरक्षित वन के उपखंड संख्या 415 और सोनारी के उपखंड संख्या 417 के उत्तरी सीमा से होती हुई ग्राम मधोरा के सीमा में बिन्दु "ग" पर मिलती है ।

- | क्र.सं.  | ग्राम का नाम | पटवारी<br>हल्का संख्या | ग्राम संख्या | तहसील      | जिला   | क्षेत्र<br>हेक्टर में | टिप्पणियां |
|--|--------------|------------------------|--------------|------------|--------|-----------------------|------------|
| 1.   | सरडी         | 2                      | 227          | बैकुण्ठपुर | कोरिया | 0.200                 | भाग        |
| कुल :- 0.200 हेक्टर (लगभग) या 0.49 एकड़ (लगभग) |              |                        |              |            |        |                       |            |
| कुल योग (क+ख):-11.88 हेक्टर (लगभग)             |              |                        |              |            |        |                       |            |
| या 29.35 एकड़ (लगभग)                           |              |                        |              |            |        |                       |            |

1. ग्राम शिवपुर (भाग) में अर्जित किए जाने वाले प्लॉट संख्या: 1/1, 1/2, 2/1 से 2/4, 3/1 से 3/5, 4, 5/1 से 5/3, 6/1, से 6/12, 7, 35(भाग), 40, 188(भाग), 199(भाग), 240(भाग), 241(भाग), 246(भाग), 247.
2. ग्राम सरडी (भाग) में अर्जित किए जाने वाले प्लॉट संख्या: 101

**सीमा वर्णन :**

**ब्लॉक-III :**

- ड-ड-1 रेखा ग्राम शिवपुर के पश्चिमी सीमा में बिन्दु "ड" से आरंभ होती है और प्लॉट संख्या 1 के पश्चिमी और उत्तरी, 2, 3, 5 के उत्तरी, 40 के पूर्वी और उत्तरी सीमा से होती हुई बिन्दु "ड-1" पर मिलती है।
- ड-1-ड रेखा ग्राम शिवपुर के प्लॉट संख्या 247 के उत्तरी सीमा और 188, 199, 246, 241, 240 से होकर ग्राम सरडी में प्रवेश कर प्लॉट संख्या 101 से होती हुई बिन्दु "ड" पर मिलती है।
- ड-ण रेखा ग्राम सरडी के प्लॉट संख्या 101 से होकर ग्राम शिवपुर में प्रवेश कर प्लॉट संख्या 240, 241, 246, 199, 188 से होकर 247 के पूर्वी सीमा से होती हुई बिन्दु "ण" पर मिलती है।
- ण-ड रेखा ग्राम शिवपुर के प्लॉट संख्या 247, 40 के दक्षिणी और 35 से होकर 40, 6, 7 के दक्षिणी, 7 के पश्चिमी, 5, 4, 3, 1 के दक्षिणी सीमा से होती हुई आरंभिक बिन्दु "ड" पर मिलती है।

[फा. सं. 43015/9/2010-पीआरआईडब्ल्यू-1]

ए. के. दास, अवर सचिव

New Delhi, the 24th April, 2012

**S.O. 1565.**—Whereas by the notification of the Government of India in the Ministry of Coal number S.O. 1981, dated the 20th July 2011, issued under sub-section (1) of Section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act) and published in the Gazette of India, Part-II, Section 3, Sub-section (ii) dated the 30th July, 2011, the Central Government gave notice of its intention to acquire the lands in the locality specified in the Schedule annexed to that notification.

And whereas the competent authority in pursuance of Section 8 of the said Act has made his report to the report to the Central Government;

And whereas, the Central Government after considering the aforesaid report and after consulting the Government of Chhattisgarh, is satisfied that :

(a) The rights to mine, quarry, bore dig and search for win, work and carry away minerals in the lands measuring 949.240 hectares (approximately) or 2345.57 acres (approximately) described in the schedule "A" appended hereto; and

(b) The land measuring 11.88 hectares (approximately) or 29.35 acres (approximately) as All Rights in or over the said land described in the schedule "B" appended hereto should be acquired.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 9 of the said Act, the Central Government hereby declares that—

(a) The rights to mine, quarry, bore dig and search for win, work and carry away minerals in the lands measuring 949.240 hectares (approximately) or 2345.57 acres (approximately) as described in the schedule 'A'; and

(b) The land measuring 11.88 hectares (approximately) or 29.35 acres (approximately) as All Rights in or over the said land as described in the schedule 'B' are hereby acquired.

The plan bearing Number SECL/BSP/GM/(PLG)/LAND/415 dated the 4th November, 2011 of the area covered by this notification may be inspected at the office of the Collector, Korea (Chhattisgarh) or at the office of the Coal Controller, 1, Council House Street, Kolkata- 700001 or at the office of the South Eastern Coalfields Limited (Revenue Section), Seepat Road, Bilaspur-495006 (Chhattisgarh).

#### **SCHEDULE "A"**

**Churcha and Churcha West UG Block  
Baikunthpur Area  
District- Korea (Chhattisgarh)**

[Plan bearing number SECL/ BSP/ GM(PLG)/ LAND/415 dated the 4th November, 2011]

**Mining Right:**

**Block - I :**

**(A) Revenue Land:**

Sl. No.	Name of village	Patwari halka number	Village number	Tahsil	District	Area in hectares	Remarks
1.	Katghori	8	31	Sonhat	Korea	148.690	Part
2.	Madhora	9	174	Sonhat	Korea	133.430	Part
3.	Naugai	9	141	Sonhat	Korea	199.030	Part
4.	Kushmaha	8	42	Sonhat	Korea	41.740	Part
5.	Prakashpur	9	146	Sonhat	Korea	12.640	Part
6.	Pusla	8	158	Sonhat	Korea	8.410	Part
7.	Pharpara	9	151	Sonhat	Korea	18.360	Part

Total :- 562.300 hectares (approximately) or 1389.44 acres (approximately)

**(B) Revenue Forest Land:**

Sl. No.	Name of village	Patwari halka number	Village number	Tahsil	District	Area in hectares	Remarks
1.	Katghori	8	31	Sonhat	Korea	5.760	Part
2.	Madhora	9	174	Sonhat	Korea	25.930	Part
3.	Naugai	9	141	Sonhat	Korea	8.590	Part
4.	Kushmaha	8	42	Sonhat	Korea	9.990	Part
5.	Prakashpur	9	146	Sonhat	Korea	0.370	Part
6.	Pusla	8	158	Sonhat	Korea	1.170	Part

Total :- 51.810 hectares approximately or 128.02 acres (approximately)

**(C) Forest Land:**

Sl. No.	Name of Forest	Type of Forest	Compartment number	Range	Division	Area in hectares	Remarks
1.	Kachhar Dand	Reserve Forest	415	Baikunthpur	Korea	187.190	Part
2.	Sonari	Reserve Forest	417	Baikunthpur	Korea	101.330	Part

Total :- 288.520 hectares (approximately) or 712.93 acres (approximately)

**Block -II :****(A) Revenue Land :**

Sl. No.	Name of village	Patwari halka number	Village number	Tahsil	District	Area in hectares	Remarks
1.	Labji	8	219	Sonhat	Korea	44.250	Part

Total :- 44.250 hectares (approximately) or 109.34 acres (approximately)

**(B) Revenue Forest Land :**

Sl. No.	Name of village	Patwari halka number	Village number	Tahsil	District	Area in hectares	Remarks
1.	Labji	8	219	Sonhat	Korea	2.360	Part

Total :- 2.360 hectares (approximately) or 5.83 acres (approximately)

Total Revenue Land = 562.300+44.250 = 606.550 hectares or 1498.78 acres (approximately)

Total Revenue Forest Land=51.810+ 2.360 = 54.170 hectares or 133.85 acres (approximately)

Grand Total = 606.550+54.170+288.520 = 949.240 hectares or 2345.57 acres (approximately)

1. Plot numbers to be acquired in village Katghori (Part): 787(P), 788(P), 789, 790, 791 (P), 792(P), 793(P), 794(P), 795(P), 855(P), 856(P), 857(P), 858(P), 859(P), 860(P), 861 (P), 862, 862/1576, 863 to 898, 899(P), 900 to 998, 998/1594, 999 to 1028, 1029(P), 1030 to 1032, 1033(P), 1056(P), 1057(P), 1069 (P), 1070(P), 1071(P), 1072 to 1087, 1087/1582, 1088 to 1147, 1148(P), 1149(P), 1150(P), 1151(P), 1163(P), 1198(P), 1316, 1317(P). 1318(P). 1320(P), 1321 to 1339, 1339/1489, 1340 to 1358, 1358/1583, 1359, 1360, 1361(P), 1362(P), 1375/1596, 1376 to 1383, 1384(P), 1385(P), 1386(P), 1388 (P), 1416(P), 1417(P) 1418(P), 1419 to 1435, 1436 (P), 1437(P), 1438(P), 1567(P), 1569(P), 1570, 1571 (P).

2. Plot numbers to be acquired in village Madhora (Part): 8(P), 15(P), 16, 17/1(P), 17/2(P), 18 to 34, 35(P), 36, 37(P), 38, 39/1 (P), 39/2(P), 42, 43(P), 56(P), 57 to 70, 71(P), 72, 73(P), 74, 75(P), 76(P), 77(P), 107(P), 108 (P), 121(P), 126(P), 127(P), 128, 129(P), 130, 131, 131/457, 132 to 244, 245(P), 246, 247(P), 248(P), 250(P), 285(P), 287 to 333, 333/2, 333/3, 333/5, 334 to 365, 366(P), 367, 368, 369, 370(P), 373(P), 374(P), 376(P), 392(P), 394(P), 395, 396(P), 397 to 424, 425(P), 432(P), 433 to 455.

3. Plot numbers to be acquired in village Naugai (Part): 3 to 390, 391/1, 391/2, 392 to 414, 415(P), 416(P), 417 to 421, 422(P), 423 to 453, 454(P), 455(P), 476, 478(P), 489(P), 490(P), 491 to 495, 496(P), 497(P), 499(P), 517(P), 546(P), 547 to 550, 551 (P), 552, 553, 554(P), 555 to 565, 566(P), 567(P), 568 to 578, 579(P), 580(P), 581 (P) and 582(P).

4. Plot numbers to be acquired in village Kushmaha (Part): 7(P), 8 to 10, 11 (P), 12, 13(P), 14, 15(P), 19(P), 20(P), 21(P), 22 to 31, 32(P), 33 to 35, 36(P), 37 to 53, 54(P), 55(P), 58(P), 59(P), 61 (P), 67(P), 68(P), 69 to 75, 76 (P), 77 to 82, 83(P), 84(P), 85(P), 86, 86/358, 87, 88, 89(P), 92(P), 93(P), 100(P), 101(P), 102 to 109, 110(P), 112 (P), 114 (P), 115, 116(P), 118(P), 119(P), 120, 121(P), 122(P), 123(P), 126(P), 127(P).

5. Plot numbers to be acquired in village Prakashpur (Part): 1 to 5, 6(P), 8(P), 9(P), 10(P), 11 (P), 12, 13(P), 15(P), 27(P), 30(P), 38, 39(P), 40(P), 41 (P), 42(P), 43(P), 59(P), 60(P), 61 (P), 62(P), 63 to 65, 66(P), 67, 68, 69(P), 70, 71 (P), 72(P), 86(P).

6. Plot numbers to be acquired in village Pusla (Part): 604, 607(P), 608(P), 609(P), 610(P), 615(P), 616(P), 634(P), 635(P), 638(P), 639(P), 640, 641, 642(P), 643, 644, 645(P), 646 to 651, 658(P), 659(P), 661 (P), 662 to 667, 668 (P), 669, 670(P), 672/1 (P), 672/2(P), 673, 674(P), 675 to 677, 678(P), 679, 680, 681(P).

7. Plot numbers to be acquired in village Pharpara (Part): 1 to 46, 56(P), 63 to 67, 68(P), 70(P).

8. Plot numbers to be acquired in village Labji (Part): 77(P), 78, 79(P), 81 (P), 143(P), 144(P), 145, 146, 147(P), 148 to 156, 157(P), 158 to 179, 180(P), 181, 182(P), 184(P), 191 (P), 192(P), 193 (P), 253(P), 256(P), 257(P), 258, 259(P), 260, 261, 262(P), 263, 264, 265(P), 280(P), 281 (P), 284(P), 285 to 339.

#### Boundary Description:-

##### Block - I :

- A-B Line starts from point 'A' in village Pusla and passes in village Pusla through plot number 634, 635, 638, 616, 615, 670, 638, 642, 644, 645, 610, 609, 608, 607, northern boundary of plot number 604 then enter and passes in village Kushmaha through plot number 85, 84, 83, 68, 67, 54, 55, 58, 59, 61, 21, 20, 19, 13, 15, 11, 7 and meets at point 'B' on the boundary of village Kushmaha.
- B-C Line passes along northern boundary of compartment number 415 of Kachhar Dand and 417 of Sonari Reserve Forest and meets at point 'C' on the boundary of village Madhora.
- C-D Line passes in village Madhora through plot number 17/2, 17/1, 15, 8, 35, 37, 39/1, 39/2, 43, 56, 71, 73, 76, 75, 77, 107, 108, 129, 127, 126, 121, 248, 247, 245, 285, 366, 376, 374, 373, 370, 396, 394, 392, 425, 432 and meets at point 'D' on the common boundary of villages Madhora-Prakashpur.
- D-E Line passes in village Prakashpur through plot number 66, 71, 72, 86, 60, 61, 62, 42, 41, 40, 39, 27, 30, 27, 6, 8, 9, 10, 11, 13, 15 and meets at point 'E' on the common boundary of villages Prakashpur-Naugai.
- E-F Line passes in village Naugai through plot number 455, 454, 422, 416, 415, 478, 490, 489, 499, 496, 497, 554, 517, eastern boundary of plot number 552, 550, through 551, 546, 566, 567, 582, 581, 580, 579 then enter and passes in village Pharpara through plot number 68, eastern boundary of plot number 66, through 70, eastern boundary of plot number 56, 46 and meets at point 'F'.
- F-G Line passes along partly common boundary of villages Pharpara-Anandpur, Naugai-Anandpur and Katghori-Anandpur and meets at point 'G'.
- G-H Line passes in village Katghori through plot number 1571, 1569, 1567, 1438, 1437, 1436, 1417, 1416, 1418, 1388, 1385, 1386, 1384, western boundary of plot number 1376, 1360, through 1361, 1362, 1320, 1318, 1317, western boundary of plot number 1316, 1129; through 1163, 1148, 1149, 1150, 1151, 1056, 1057, 1071, 1070, 1069, 1033, 1029, 1198, 787, 788, 791, 792, 793, 794, 795, 899, 855, 856, 857, 858, 859, 860, 861 and meets at point 'H' on the common boundary of villages Katghori-Sonari Reserve Forest.
- H-I Line passes along partly common boundary of villages Katghori-Sonari Reserve Forest and meets at point 'I'.
- I-J Line passes along partly common boundary of villages Katghori-Kachhar Dand Reserve Forest and village Kushmaha-Kachhar Dand Reserve Forest and meets at point 'J'.

- J-A Line passes in village Kushmaha through plot number 32, 127, 126, 36, 122, 123, 121, 118, 119, 116, 114, 76, 112, 110, 100, 101, 93, 92, 89 then enter and passes in village Pusla through plot number 658, 659, 661, 668, 670, 672/2, 672/1, 674, 678, 681, 634 and meets at starting point 'A'.

**Block - II:**

- K-K-1 Line starts from point 'K' on the southern boundary of village Labji and passes through plot number 253, 256, 257, 259, 265, 262, 284, 281, 280, 193, 192, 191, 180, 184, 182 and meets at point 'K-1'.
- K-1-L Line passes in village Labji through plot number 143, 144, 147, 81, 79, 157, 77, northern boundary of plot number 78 and meets at point 'L' on the northern boundary of village Labji.
- L-L-1 Line passes along eastern boundary of village Labji and meets at point 'L-1'.
- L-1-K Line passes along southern boundary of village Labji and meets at starting point 'K'.

**SCHEDULE "B"**

**Churcha and Churcha West UG Block  
Baikunthpur Area, District- Korea (Chhattisgarh)**

[Plan bearing number SECL/ BSP/ GM(PLG)/ LAND/415 dated the 4th November, 2011]

**All Rights:****Block - III :****(A) Revenue Land:**

Sl. No.	Name of village	Patwari halka number	Village number	Tahsil	District	Area in hectares	Remarks
1.	Shivpur	2	222	Baikunthpur	Korea	11.680	Part
Total:- 11.680 hectares (approximately) or 28.86 acres (approximately)							

**(B) Revenue Forest Land :**

Sl. No.	Name of village	Patwari halka number	Village number	Tahsil	District	Area in hectares	Remarks
1.	Sardi	2	227	Baikunthpur	Korea	0.200	Part
Total:- 0.200 hectares (approximately) or 0.49 acres (approximately)							

**Grand Total (A+B) = 11.88 hectares (approximately)  
or 29.35 acres (approximately)**

- Plot numbers to be acquired in village Shivpur (Part): 1/1, 1/2, 2/1, to 2/4, 3/1 to 3/5, 4, 5/1 to 5/3, 6/1 to 6/12, 7, 35(P), 40, 188(P), 199(P), 240(P), 241(P), 246(P), 247.
- Plot numbers to be acquired in village Sardi (Part): 101.

**Boundary Description:****Block- III:**

- M-M-1 Line starts from point "M" on the western boundary of village Shivpur and passes along western and northern boundary of plot number 1, northern boundary of plot number 2, 3, 5, eastern and northern boundary of plot number 40 and meets at point 'M-1'.
- M-1-N Line passes in village Shivpur along northern boundary of plot number 247, through 188, 199, 246, 241, 240 then enter and passes in village Sardi through plot number 101 and meets at point "N".
- N-O Line passes in village Sardi through plot number 101 then enter and passes in village Shivpur through plot number 240, 241, 246, 199, 188, eastern boundary of plot number 247 and meets at point 'O'.
- O-M Line passes in village Shivpur along southern boundary of plot number 247, 40, through 35, along southern boundary of plot number 40, 6, 7, western boundary of plot number 7, southern boundary of plot number 5, 4, 3, 1 and meets at starting point "M".

[F. No. 43015/9/2010-PRIW-I]

A. K. DAS, Under Secy.



नई दिल्ली, 26 अप्रैल, 2012

का.आ. 1566.—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 7 की उप-धारा (1) के अधीन जारी भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्या का.आ. 2054 तारीख 10 अगस्त, 2010 जो भारत के राजपत्र के भाग II, खण्ड 3, उप-खण्ड (ii) तारीख 21 अगस्त, 2010 में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में वर्णित परिक्षेत्र की भूमि में, जिसका माप 221.710 हेक्टर (लगभग) या 547.845 एकड़ (लगभग) है, खनिजों के खनन, खदान, बोर करने, उनकी खुदाई और तलाश करने, उन्हें प्राप्त करने, उन पर कार्य करने और उन्हें ले जाने के अधिकारों के अर्जन करने के अपने आशय की सूचना दी थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 8 के अनुसरण में केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का, पूर्वोक्त रिपोर्ट पर विचार करने के पश्चात् और मध्य प्रदेश सरकार से परामर्श करने के पश्चात् यह समाधान हो गया है कि इससे संलग्न अनुसूची में वर्णित 221.710 हेक्टेयर (लगभग) या 547.845 एकड़ (लगभग) माप वाली भूमि खनिजों में खनिजों के खनन, खदान, बोर करने, उनकी खुदाई और तलाश करने, उन्हें प्राप्त करने, उन पर कार्य करने और उन्हें ले जाने के अधिकार अर्जित किए जाने चाहिए ;

अतः, अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अधिग्रहण और विकास) अधिनियम 1957 की धारा 9 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि, इससे संलग्न अनुसूची में वर्णित 221.710 हेक्टेयर (लगभग) या 547.845 एकड़ (लगभग) माप वाली भूमि खनिजों में खनिजों के खनन, खदान, बोर करने, उनकी खुदाई और तलाश करने, उन्हें प्राप्त करने, उन पर कार्य करने और उन्हें ले जाने के अधिकार अर्जित किए जाते हैं ;

इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक संख्या सी-1(ई)/III/एचआर/860-0511, तारीख 25 मई, 2011 का निरोक्षण कलेक्टर, छिन्दवाड़ा (मध्य प्रदेश) के कार्यालय में या मुख्य महाप्रबन्धक, वेस्टर्न कोलफील्ड्स लिमिटेड, कन्हान क्षेत्र, पोस्ट-डुंगरिया, तहसील-जुन्नारदेव, जिला-छिन्दवाड़ा (मध्य प्रदेश) के कार्यालय में या कोयला नियंत्रक 1, काउंसिल हाउस स्ट्रीट, कोलकाता (पिन- 700001) के कार्यालय में या महाप्रबन्धक, वेस्टर्न कोलफील्ड्स लिमिटेड (राजस्व अनुभाग), कोल एस्टेट, सिविल लाइन्स, नागपुर-440 001 (महाराष्ट्र) के कार्यालय में किया जा सकता है ।

### अनुसूची

#### भाकरा भूमिगत खदान

#### कन्हान क्षेत्र

#### जिला-छिन्दवाड़ा ( मध्य प्रदेश )

[ संख्या सी-1(ई)/III/एचआर/860-0511, तारीख 25 मई, 2011 ]

#### खनन अधिकार :

क्रम सं.	ग्राम का नाम	पुराना पटवारी सर्कल संख्या	नया पटवारी सर्कल संख्या	तहसील	जिला	भूमि का वर्णन			कुल	टिप्पणी
						निजी भूमि	सरकारी भूमि	वन भूमि		
1.	भाकरा	09	06	जुन्नारदेव	छिन्दवाड़ा	84.520	19.589	40.360	144.469	भाग
2.	नंदना	16	04	जुन्नारदेव	छिन्दवाड़ा	61.160	13.031	3.050	77.241	भाग
कुल						145.580	32.620	43.410	221.710	

कुल :-

221.710 हेक्टेयर ( लगभग )  
या 547.845 एकड़ ( लगभग )

#### ग्राम भाकरा में अर्जित किए गए प्लॉट संख्यांक:

3( भाग ), 4( भाग ), 5( भाग ), 6( भाग ), 7( भाग ), 9( भाग ), 26( भाग ), 27( भाग ), 28( भाग ), 29, 30( भाग ), 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46( भाग ), 47/1, 47/2, 47/3, 48, 49, 50, 51, 52, 53/1, 53/2, 53/3, 53/4, 54, 55, 56, 57, 58, 59, 60, 61, 62/1, 62/2, 63, 64/1, 64/2, 64/3, 64/4, 65, 66, 67, 68, 69, 70, 71/1, 71/2, 72/1, 72/2, 72/3, 72/4,

72/5, 72/6, 72/7, 72/8, 72/9, 73, 74(भाग), 75, 76(भाग), 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89/1, 89/2, 90, 91, 92, 93, 94(भाग), 95, 96(भाग), 97(भाग), 98(भाग), 101(भाग), 102/1, 102/2, 102/3, 103, 104(भाग), 105(भाग), 106(भाग), 107(भाग), 108(भाग), 175(भाग), 176(भाग), 177, 179(भाग), 180(भाग), 181, 182, 183, 184(भाग), 209(भाग), 210(भाग), 212(भाग), 213(भाग), 215/1(भाग), 215/2.

**ग्राम नंदना में अर्जित किए गए प्लॉट संख्यांक:**

11(भाग), 12, 13/1(भाग), 14(भाग), 15(भाग), 16(भाग), 17(भाग), 18/1(भाग), 18/2, 18/3, 18/4(भाग), 19, 20/1, 20/2, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33(भाग), 35(भाग), 42(भाग), 46(भाग), 47(भाग), 48, 49(भाग), 53(भाग), 54/1(भाग), 54/2(भाग), 54/3, 54/4, 55, 56, 57, 58(भाग), 59/1, 59/2, 59/3, 59/4, 60, 61, 62, 63/1, 63/2, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78/1, 78/2, 79(भाग), 88(भाग), 89(भाग), 90, 91/1(भाग), 91/2, 91/3, 91/4, 92, 93, 94/1, 94/2, 95(भाग), 96(भाग), 98(भाग), 99, 100, 101, 102, 103, 104(भाग), 105(भाग).

**सीमा वर्णन :**

क-ख-ग रेखा ग्राम भाकरा में बिन्दु 'क' से आरंभ होती है और प्लॉट संख्या 98(भाग), 97(भाग), 96(भाग), 101(भाग), 95(भाग), 94(भाग), 175(भाग) से गुजरती हुई बिन्दु 'ख' के पास से गुजरती है फिर प्लॉट संख्या 176(भाग), से होकर प्लॉट संख्या 177 की सीमा से लगकर गुजरती है फिर प्लॉट संख्यांक 179(भाग), 180(भाग), 182(भाग), 215/1(भाग), 213(भाग), 212(भाग), 210(भाग), 209(भाग), से होकर गुजरती है और बिन्दु 'ग' पर मिलती है।

ग-घ-ङ रेखा ग्राम भाकरा से प्लॉट संख्यांक 209(भाग), 210(भाग), 212(भाग), से होकर गुजरती है फिर प्लॉट संख्या 182 की सीमा से लगकर गुजरती है फिर प्लॉट संख्यांक 184(भाग), 30(भाग), 26(भाग), से होकर गुजरती हुई बिन्दु 'घ' के पास से गुजरती है और फिर से प्लॉट संख्या 26(भाग), से होकर बिन्दु 'ङ' पर मिलती है।

ड.-च-क रेखा ग्राम भाकरा से प्लॉट संख्यांक 26(भाग), 184(भाग), 27(भाग), 28(भाग), 9(भाग), 7(भाग), 6(भाग), 5(भाग), 4(भाग), 3(भाग), 74(भाग), से होकर गुजरती है फिर ग्राम भाकरा और ग्राम नंदना की सम्मिलित ग्राम सीमा को पार करती है फिर ग्राम नंदना के प्लॉट संख्यांक 58(भाग), 53(भाग), 54/2(भाग), 54/1(भाग), 49(भाग), 47(भाग), 42(भाग), 46(भाग), 33(भाग), 35(भाग), 11(भाग), 13/1, 13/2(भाग), 14(भाग), 16(भाग), 15(भाग), से होकर गुजरती है फिर बिन्दु 'च' के पास से गुजरती हुई प्लॉट संख्यांक 15(भाग), 16(भाग), 17(भाग), 18/1(भाग), 18/4(भाग), 79(भाग), 89(भाग), 88(भाग), 91/1(भाग), 96(भाग), 98(भाग), 105(भाग), 104(भाग), 58(भाग), से होकर गुजरती है फिर ग्राम नंदना और ग्राम भाकरा की सम्मिलित ग्राम सीमा को पार करती है फिर ग्राम भाकरा से प्लॉट संख्या 103 की सीमा से लगकर गुजरती है और प्लॉट संख्यांक 104(भाग), 105(भाग), 106(भाग), 107(भाग), 108(भाग), 101(भाग), 98(भाग), से होकर गुजरती है और आरंभिक बिन्दु 'क' पर मिलती है।

[फा. सं. 43015/33/2009-पीआरआईडब्ल्यू-1]

ए. के. दास, अवर सचिव

New Delhi, the 26th April, 2012

**S.O. 1566.**—Whereas by the notification of the Government of India in the Ministry of Coal No. S. O. 2054, dated the 10th August, 2010, issued under Sub-Section (1) of Section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act) and published in Part - II, Section - 3, Sub-Section (ii) of the Gazette of India, dated the 21st August, 2010, the Central Government gave notice of its intention to acquire the rights to mine, quarry, bore, dig and search for win, work and carry away minerals in the land measuring 221.710 hectares (approximately) or 547.845 acres (approximately) in the locality specified in the Schedule appended to that notification;

And whereas the competent authority in pursuance of Section 8 of the said Act, has made his report to the Central Government;

And whereas, the Central Government after considering the report aforesaid and after consulting the Government of Madhya Pradesh is satisfied that the rights to mine, quarry, bore, dig and search for win work and carry away minerals in the lands measuring 221.710 hectares (approximately) or 547.845 acres (approximately) described in Schedule appended hereto, should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957, the Central Government hereby declares that the rights to mine, quarry, bore,

dig and search for win work and carry away minerals in the lands measuring 221.710 hectares (approximately) or 547.845 acres (approximately) described in the Schedule appended hereto are hereby acquired.

The plan bearing number C-1(E)III/HR/860 - 0511, dated the 25th May, 2011 of the area covered by this notification, may be inspected at the office of the Collector, Chhindwara (Madhya Pradesh) or at the office of the Chief General Manager, WCL, Kanhan Area, Post - Dungaria, Tahsil - Junnardeo, District - Chhindwara (Madhya Pradesh) or at the office of the Coal Controller, 1, Council House Street, Kolkata (Pin-700 001) or at the office of the General Manager, Western Coalfields Limited (Revenue Department), Coal Estate, Civil Lines, Nagpur - 440 001 (Maharashtra).

### SCHEDULE

Bhakra Underground Mine  
Kanhan Area  
District- Chhindwara (Madhya Pradesh)

[Plan bearing number C-1(E)III/HR/860 - 0511, dated the 25th May, 2011]

#### Mining Rights:

Sl. No.	Name of village	Old P.C. No.	New P.C. No.	Tahsil	District	Description of land			Total	Remarks
						Ten. land	Govt. land	Forest land		
1	Bhakra	09	06	Junnardeo	Chhindwara	84.520	19.589	40.360	144.469	Part
2	Nandna	16	04	Junnardeo	Chhindwara	61.160	13.031	3.050	77.241	Part

**Total : 221.710 hectares (approximately).**

**or 547.845 acres (approximately)**

#### Plot numbers acquired in village Bhakra :

3(P), 4(P), 5(P), 6(P), 7(P), 9(P), 26(P), 27(P), 28(P), 29, 30(P), 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46(P), 47/1, 47/2, 47/3, 48, 49, 50, 51, 52, 53/1, 53/2, 53/3, 53/4, 54, 55, 56, 57, 58, 59, 60, 61, 62/1, 62/2, 63, 64/1, 64/2, 64/3, 64/4, 65, 66, 67, 68, 69, 70, 71/1, 71/2, 72/1, 72/2, 72/3, 72/4, 72/5, 72/6, 72/7, 72/8, 72/9, 74(P), 75, 76(P), 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89/1, 89/2, 90, 91, 92, 93, 94(P); 95, 96(P), 97(P), 98(P), 101(P), 102/1, 102/2, 102/3, 103, 104(P), 105(P), 106(P), 107(P), 108(P), 175(P), 176(P), 177, 179(P), 180(P), 181, 182, 183, 184(P), 209(P), 210(P), 212(P), 213(P), 215/1(P), 215/2.

#### Plot numbers acquired in village Nandna :

11(P), 12, 13/1(P), 14(P), 15(P), 16(P), 17(P), 18/1(P), 18/2, 18/3, 18/4(P), 19, 20/1, 20/2, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33(P), 35(P), 42(P), 46(P), 47(P), 48, 49(P), 53(P), 54/1(P), 54/2(P), 54/3, 54/4, 55, 56, 57, 58(P), 59/1, 59/2, 59/3, 59/4, 60, 61, 62, 63/1, 63/2, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78/1, 78/2, 79(P), 88(P), 89(P), 90, 91/1(P), 91/2, 91/3, 91/4, 92, 93, 94/1, 94/2, 95(P), 96(P), 98(P), 99, 100, 101, 102, 103, 104(P), 105(P).

#### Boundary description:

- A - B - C: Line starts from Point 'A' in village Bhakra and passes through plot numbers 98(P), 97(P), 96(P), 101(P), 95(P), 94(P), 175(P), and nearby Point 'B' and then proceeds through plot number 176(P), along with the outer boundary of plot number 177 and then passes through plot numbers 179(P), 180(P), 182(P), 215/1(P), 213(P), 212(P), 210(P), 209(P) and meets at Point 'C'.
- C - D - E: Line passes through village Bhakra through plot numbers 209(P), 210(P), 212(P), along with the outer boundary of plot number 182, then proceeds through plot numbers 184(P), 30(P), 26 (P), and passes nearby Point 'D', then again proceeds through plot number 26(P), and meets at Point 'E'.
- E-F-A: Line passes through village Bhakra through plot numbers 26(P), 184(P), 27(P), 28(P), 9(P), 7(P), 6(P), 5(P), 4(P), 3(P), 74(P), crosses common village boundary of villages Bhakra and Nandna then passes through village Nandna and plot numbers 58 (P), 53(P), 54/2(P), 54/1(P), 49(P), 47(P), 42(P), 46(P), 33(P), 35(P), 11(P), 13/1, 13/2(P), 14(P), 16(P), 15(P), and passes nearby Point 'F', then again passes through plot numbers 15(P), 16(P), 17(P), 18/1(P), 18/4(P), 79(P), 89(P), 88(P), 91/1(P), then along the outer boundary of plot number 90 and then

passes through plot numbers 91/1(P), 96(P), 98 (P), 105(P), 104(P), 58(P), crosses common village boundary of villages Nandna and village Bhakra then passes through village Bhakra along plot number 103(P), then proceeds through plot numbers 104(P), 105(P), 106(P), 107(P), 108(P), 101(P), 98(P), and meets at starting Point 'A'.

[F. No. 43015/33/2009-PRIW -I]

A. K. DAS, Under Secy.

नई दिल्ली, 26 अप्रैल, 2012

**का.आ. 1567.**—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उप-धारा (1) के अधीन भारत सरकार में कोयला मंत्रालय के द्वारा जारी की गई अधिसूचना संख्या का.आ. 1698 तारीख 20 जून, 2011 जो भारत के राजपत्र के भाग II, खण्ड 3, उप-खण्ड (ii) तारीख 25 जून, 2011 में प्रकाशित की गई थी, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि में जिसका माप 128.215 हेक्टर (लगभग) या 316.82 एकड़ (लगभग) है, कोयले का पूर्वेक्षण करने के अपने आशय की सूचना दी थी ;

और केन्द्रीय सरकार को यह समाधान हो गया है कि उक्त भूमि में कोयला अभिप्राप्त है ।

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इससे संलग्न अनुसूची में वर्णित 128.215 हेक्टर (लगभग) या 316.82 एकड़ (लगभग) माप की उक्त भूमि का अर्जन करने के अपने आशय की सूचना देती है :

**टिप्पण 1** :—इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक संख्या एसईसीएल/बीएसपी/जीएम(पीएलजी)/ भूमि/411, तारीख 27 अगस्त, 2011 का निरीक्षण कलेक्टर, जिला-अनूपपुर (मध्य प्रदेश) के कार्यालय में या कोयला नियंत्रक, 1, कार्डिसल हाउस स्ट्रीट, कोलकाता-700 001 के कार्यालय में या साउथ ईस्टर्न कोलफील्ड्स लिमिटेड, (राजस्व अनुभाग) सीपत रोड, बिलासपुर -495 006 (छत्तीसगढ़) के कार्यालय में किया जा सकता है।

**टिप्पण 2** :—उक्त अधिनियम की धारा 8 के उपबंधों की ओर ध्यान आकृष्ट किया जाता है, जिसमें निम्नलिखित उपबंध हैं :—

**अर्जन के बाबत आपत्तियाँ :**

“8(1) कोई व्यक्ति जो किसी भूमि में जिसकी बाबत धारा 7 (1) के अधीन अधिसूचना निकाली गई है, हितबद्ध है, अधिसूचना के निकाले जाने से तीस दिन के भीतर सम्पूर्ण भूमि या उसके किसी भाग या ऐसी भूमि में या उस पर के किन्हीं अधिकारों का अर्जन किए जाने के बारे में आपत्ति कर सकेगा ।

**स्पष्टीकरण,—**

1. इस धारा के अन्तर्गत यह आपत्ति नहीं मानी जाएगी कि कोई व्यक्ति किसी भूमि में कोयला उत्पादन के लिए स्वयं खनन सक्रियाएं करना चाहता है और ऐसी सक्रियाएं केन्द्रीय सरकार या किसी अन्य व्यक्ति को नहीं करनी चाहिए ।

2. उप-धारा (1) के अधीन प्रत्येक आपत्ति सक्षम अधिकारी को लिखित रूप में की जाएगी और सक्षम अधिकारी, आपत्तिकर्ता को स्वयं सुने जाने, विधि व्यवसायी द्वारा सुनवाई का अवसर देगा और ऐसी सभी आपत्तियों को सुनने के पश्चात् और ऐसी अतिरिक्त जांच, यदि कोई हो, करने के पश्चात् जो वह आवश्यक समझता है, वह या तो धारा 7 की उप-धारा (1) के अधीन अधिसूचित भूमि का या ऐसी भूमि में या उस पर के अधिकारों के संबंध में एक रिपोर्ट या ऐसी भूमि के विभिन्न टुकड़े या ऐसी भूमि में या उस पर के अधिकारों के संबंध में आपत्तियों पर अपनी सिफारिशों और उसके द्वारा की गई कार्यवाही के अभिलेख सहित विभिन्न रिपोर्ट केन्द्रीय सरकार को उसके विनिश्चय के लिए देगा।

3. इस धारा के प्रयोजनों के लिए वह व्यक्ति किसी भूमि में हितबद्ध समझा जाएगा जो प्रतिकर में हित का दावा करने का हकदार होगा, यदि भूमि या किसी ऐसी भूमि में या उस पर के अधिकार इस अधिनियम के अधीन अर्जित कर लिए जाते हैं ।”

**टिप्पण 3** : केन्द्रीय सरकार ने, कोयला नियंत्रक, 1, कार्डिसल हाउस स्ट्रीट, कोलकाता-700 001 को उक्त अधिनियम के अधीन भारत के राजपत्र, भाग II, खण्ड 3, उप-खण्ड (ii), तारीख 4 अप्रैल, 1987 में प्रकाशित अधिसूचना संख्या का.आ. 905, तारीख 20 मार्च, 1987 उक्त अधिनियम की धारा 3 के अधीन सक्षम प्राधिकारी नियुक्त किया है ।

## अनुसूची

सीतलधारा-कुरजा भूमिगत खदान, हसदेव क्षेत्र,  
जिला-अनूपपुर ( मध्य प्रदेश )

[ रेखांक संख्या :—एसईसीएल/बीएसपी/जीएम(पीएलजी)/भूमि/411, तारीख 27 अगस्त, 2011 ]

## भू-सतह अधिकार :

तहसील - कोतमा

जिला - अनूपपुर

क्रम सं.	ग्राम का नाम	पटवारी हल्का संख्या	जनरल संख्या	क्षेत्र हेक्टेयर में	टिप्पण
(1)	(2)	(3)	(4)	(5)	(6)
1.	परसापानी	20	586	81.700	भाग
2.	नक्तीटोला	20	516	46.515	भाग

कुल : 128.215 हेक्टेयर ( लगभग ) या 316.82 एकड़ ( लगभग )

1. ग्राम परसापानी ( भाग ) में अर्जित किए जाने वाले प्लॉट संख्या:

1 से 59, 60(भाग), 61(भाग), 65(भाग), 66.

2. ग्राम नक्तीटोला ( भाग ) में अर्जित किए जाने वाले प्लॉट संख्या:

1 से 3, 5(भाग), 6 से 12, 14(भाग), 24(भाग), 25(भाग), 26, 27, 28(भाग), 29, 31(भाग), 69(भाग), 70, 71(भाग), 72, 73(भाग), 74, 75(भाग).

## सीमा वर्णन :

- क-ख रेखा ग्राम नक्तीटोला-रेवंडा के सम्मिलित सीमा में बिन्दु "क" से आरंभ होती है और ग्राम नक्तीटोला-रेवंडा, नक्तीटोला-कोरजा, परसापानी-कोरजा के भागतः सम्मिलित सीमा से गुजरती हुई ग्राम परसापानी-कोरजा के सम्मिलित सीमा में बिन्दु "ख" पर मिलती है ।
- ख-ग रेखा ग्राम परसापानी-दलदल के भागतः सम्मिलित सीमा से गुजरती हुई ग्राम परसापानी-दलदल के सम्मिलित सीमा में बिन्दु "ग" पर मिलती है ।
- ग-घ रेखा ग्राम परसापानी के प्लॉट संख्या 61, 60, 63, 65 से होकर 65, 66 के पूर्वी सीमा से गुजरती हुई ग्राम परसापानी-नक्तीटोला के सम्मिलित सीमा में बिन्दु "घ" पर मिलती है ।
- घ-क रेखा ग्राम नक्तीटोला के प्लॉट संख्या 71, 75, 73, 69, 31, 28, 24, 25, 5, 10 से होती हुई आरंभिक बिन्दु "क" पर मिलती है ।

[ फा. सं. 43015/21/2010-पीआरआईडब्ल्यू-1 ]

ए. के. दास, अवर सचिव

New Delhi, the 26th April, 2012

**S.O. 1567.**—Whereas by the notification of the Government of India in the Ministry of Coal number S.O. 1698 dated the 20th June, 2011 issued under sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act) and published in the Gazette of India, Part II, Section 3, Sub-section (ii) dated the 25th June, 2011, the Central Government gave notice of its intention to prospect for coal in 128.215 hectares (approximately) or 316.82 acres (approximately) of the lands in the locality specified in the schedule annexed to that notification;

And whereas the Central Government is satisfied that coal is obtainable in a part of the said lands prescribed in the Schedule(s) appended to this notification.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 7 of the said Act, the Central Government hereby gives notice of its intention to acquire the land measuring 128.215 hectares (approximately) or 316.82 acres (approximately) as Surface Rights in or over the said lands described in the schedule appended hereto :

**Note 1 :** The plan bearing number SECL/BSP/GM(PLG)/LAND/ 411 dated the 27th August, 2011 of the area covered by this notification may be inspected at the office of the Collector, Anuppur (Madhya Pradesh) or at the office of the Coal Controller, 1, Council House Street, Kolkata-700001 or at the office of the South Eastern Coalfields Limited (Revenue Section), Seepat Road, Bilaspur-495006 (Chhattisgarh).

**Note 2 :** Attention is hereby invited to the provisions of Section 8 of the said Act which provide as follows:—

**Objection to Acquisition:**

“8(1) Any person interested in any land in respect of which a notification under Section 7(1) has been issued, may, within thirty days of the issue of the notification, object to the acquisition of the whole or any part of the land or any rights in or over such land.

**Explanation,—**

(1) It shall not be an objection within the meaning of this section for any person to say that he himself desires to undertake mining operation in the land for the production of coal and that such operation should not be undertaken by the Central Government or by any other person.

(2) Every objection under sub-section (1) shall be made to the competent authority in writing, and the competent authority shall give the objector an opportunity of being heard either in person or by a legal practitioner and shall, after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, either makes a report in respect of the land which has been notified under sub-section (1) of Section 7 or of rights in or over such land, or make different reports in respect of different parcels of such land or of rights in or over such land, to the Central Government, containing his recommendations on the objections, together with the record of the proceedings held by him, for the decision of the Government.

(3) For the purposes of this section, a person shall be deemed to be interested in land who would be entitled to claim an interest in compensation if the land or any rights in or over such land were acquired under this Act.”

**Note 3 :** The Coal Controller, 1, Council House Street, Kolkata-700001 has been appointed by the Central Government as the competent authority under Section 3 of the said Act, vide notification number S.O. 905, dated the 20th March, 1987, published in Part II, Section 3, Sub-section (ii) of the Gazette of India, dated the 4th April, 1987.

**SCHEDULE**

**Sheetaldhara-Kurja U/G Mine, Hasdeo Area  
District- Anuppur (Madhya Pradesh)**

[Plan bearing number SECL/BSP/GM(PLG)/LAND/ 411, dated the 27th August, 2011]

**Surface Rights:**

Tahsil - Kotma			District - Anuppur		
Sr. No.	Name of Village	Patwari halka number	General number	Area in hectares	Remarks
(1)	(2)	(3)	(4)	(5)	(6)
1.	Parsapani	20	586	81.700	Part
2.	Naktitola	20	516	46.515	Part
				<b>Total :—128.215 hectares (approximately) or 316.82 acres (approximately)</b>	

1. Plot numbers to be acquired in village Parsapani (Part) :

1 to 59, 60(P), 61(P), 65(P), 66.

2. Plot numbers to be acquired in village Naktitola (Part) :

1 to 3, 5(P), 6 to 12, 14(P), 24(P), 25(P), 26, 27, 28(P), 29, 31(P), 69(P), 70, 71(P), 72, 73(P), 74, 75(P).

**Boundary Description:**

- A-B Line starts from point 'A' on the common boundary of villages Naktitola-Rewanda and passes along partly common boundary of villages Naktitola-Rewanda, Naktitola-Korja, Parsapani-Korja and meets at point 'B' on the common boundary of villages Parsapani-Korja.
- B-C Line passes along partly common boundary of villages Parsapani-Daldal and meets at point 'C' on the common boundary of villages Parsapani-Daldal.
- C-D Line passes in village Parsapani through plot number 61, 60, 63, 65, along eastern boundary of plot number 65, 66 and meets at point 'D' on the common boundary of villages Parsapani-Naktitola.
- D-A Line passes in village Naktitola through plot number 71, 75, 73, 69, 31, 28, 24, 25, 5, 10 and meets at starting point 'A'.

[F. No. 43015/21/2010-PRIW -I]

A. K. DAS, Under Secy.

नई दिल्ली, 30 अप्रैल, 2012

का.आ. 1568.—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 7 की उप-धारा (1) के अधीन जारी भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्या का.आ. 672 तारीख 22 फरवरी, 2011 द्वारा, जो भारत के राजपत्र के भाग II, खण्ड 3, उप-खण्ड (ii) तारीख 5 मार्च, 2011 में प्रकाशित की गई थी, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि और ऐसी भूमि में या उस पर के सभी अधिकारों के अर्जन के अपने आशय की सूचना दी थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 8 के अनुसरण में केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का, पूर्वोक्त रिपोर्ट पर विचार करने के पश्चात् और झारखण्ड सरकार से परामर्श करने के पश्चात् यह समाधान हो गया है कि इससे संलग्न अनुसूची में वर्णित 282.88 हेक्टेयर (लगभग) या 698.72 एकड़ (लगभग) माप वाली भूमि में या उस पर सभी अधिकार अर्जित किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 9 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि वर्णित 282.88 हेक्टेयर (लगभग) या 698.72 एकड़ (लगभग) माप वाली भूमि के सभी अधिकार और उस पर या उसमें सभी अधिकार अर्जित किए जाते हैं ;

इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक संख्या ईसीएल/आरजेएमएल/एमओयूजेडए/एनओटीआई/84, तारीख 18 अप्रैल, 2011 का निरीक्षक उपायुक्त, जिला गोड्डा (झारखण्ड) के कार्यालय में या कोयला नियंत्रक 1, काउंसिल हाउस स्ट्रीट, कोलकाता - 700001 के कार्यालय में या निदेशक तकनीकी (प्रचालन), ईस्टर्न कोलफील्ड्स लिमिटेड, सांकटोरिया, डाकघर-दिसेरागढ़, जिला-बर्द्धवान (पश्चिम बंगाल) पिन कोड-713333 के कार्यालय में किया जा सकता है ।

**अनुसूची****ललमटिया कोल माईनिंग ब्लॉक ( सातवाँ चरण )****थाना-ललमटिया****जिला-गोड्डा ( झारखण्ड )**

[ रेखांक संख्या ईसीएल/आरजेएमएल/एमओयूजेडए/एनओटीआई/84, तारीख 18 अप्रैल, 2011 ]

**सभी अधिकार :**

क्रम सं.	मौजा/ग्राम का नाम*	ग्राम संख्या	पटवारी हल्का/ जेएल संख्या*	तहसील/पीएस*	जिला	क्षेत्र हेक्टेयर में लगभग	टिप्पणियां
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.	बसडीहा	47	47	बोआरीजोर/ललमटिया	गोड्डा	0.33	भाग
2.	हरक्खा	50	50	बोआरीजोर/ललमटिया	गोड्डा	13.64	भाग

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
3.	तालझरी	19	19	बोआरीजोर/ललमटिया	गोड्डा	131.59	भाग
4.	केशगडिया	20	20	बोआरीजोर/ललमटिया	गोड्डा	12.40	भाग
5.	पहाड़पुर	48	48	बोआरीजोर/ललमटिया	गोड्डा	71.01	भाग
6.	भेरण्डा	49	49	बोआरीजोर/ललमटिया	गोड्डा	53.91	भाग
कुल क्षेत्र :						282.88	

\*राजस्व अभिलेख के अनुसार

कुल क्षेत्र : 282.88 हेक्टेयर (लगभग)

या 698.72 एकड़ (लगभग)

अर्जित किए जाने वाले प्लॉट संख्यांक :

1. मौजा बसडीहा :

प्लॉट संख्या :- 1

2. मौजा हरक्खा :

प्लॉट संख्या :- 780, 954, 955, 956, 957, 958, 959, 960, 967, 968, 969, 970, 971, 972, 973, 1000, 1001, 1005, 1017 भाग, 1024, 1026, 1027, 1034 भाग, 1035 भाग, 1036 भाग, 1037 भाग, 1038, 1039, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053 भाग, 1054, 1055, 1056, 1057, 1058, 1059, 1060.

3. मौजा तालझरी :

प्लॉट संख्या :- 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756.



## 4. मौजा केशगडिया :

प्लॉट संख्या :- 18 भाग, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 130, 131, 132, 133, 134, 135, 279, 280, 281, 282.

## 5. मौजा पहाड़पुर :

प्लॉट संख्या :- 46, 47, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 185, 186, 187, 188, 198, 199, 200, 201, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 593, 594, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 631, 632, 636, 637, 638, 639.

## 6. मौजा भेरण्डा :

प्लॉट संख्या :- 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 242, 265, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353.

कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 7 की उप-धारा (1) के अधीन ललमटिया कोल माईनिंग ब्लॉक (सातवाँ चरण) के अधीन आने वाले क्षेत्र का सीमा विवरण.

## सीमा वर्णन (क1 से क 20) :

- क1-क2 मौजा बड़ा भोड़ा सं. 18 एवं मौजा केशगरिया सं. 20 के सम्मिलित सीमा पर स्थित बिन्दु क1 से प्रारंभ होकर रेखा उपरोक्त सम्मिलित सीमा से होते हुए मौजा केशगरिया सं. 20, तलझारी सं. 19 तथा बड़ा भोड़ा के त्रिसंगम को पार कर पुनः मौजा बड़ा भोड़ा सं. 1 और तलझारी सं. 19 के सम्मिलित सीमा होते हुए मौजा बड़ा भोड़ा सं. 18, तलझारी 19 तथा बसडीहा सं. 47 के त्रिसंगम पर स्थित बिन्दु क 2 पर मिलती है ।
- क2-क3 मौजा बड़ा भोड़ा सं. 18, तलझारी सं. 19 और बसडीहा सं. 47 के त्रिसंगम पर स्थित बिन्दु क2 से शुरू होकर मौजा तलझारी सं. 19 और बसडीहा सं. 47 के सम्मिलित सीमा होते हुए मौजा तलझारी सं. 19, बसडीहा सं. 47 तथा पहाड़पुर सं. 48 के त्रिसंगम पर स्थित बिन्दु क3 पर मिलती है ।
- क3-क4 मौजा तलझारी सं. 19 और बसडीहा सं. 47 और मौजा पहाड़पुर सं. 48 के त्रिसंगम पर स्थित बिन्दु क3 से प्रारंभ होकर मौजा बसडीहा सं. 47 तथा मौजा पहाड़पुर के सम्मिलित सीमा होते हुए मौजा बसडीहा सं. 47, पहाड़पुर सं. 48 और भेरण्डा सं. 39 के त्रिसंगम पर स्थित बिन्दु क 4 पर मिलती है ।

- क4-क5 मौजा बसडीहा सं. 47, पहाड़पुर सं. 48 और भेरण्डा सं. 49 के त्रिसंगम पर स्थित बिन्दु क4 से प्रारंभ होकर मौजा बसडीहा सं. 4 और भेरण्डा सं. 49 के सम्मिलित सीमा होते हुए मौजा बसडीहा सं. 47 और भेरण्डा सं. 49 के सम्मिलित सीमा पर स्थित बिन्दु क5 पर मिलती है ।
- क5-क6 मौजा बसडीहा सं. 47 और भेरण्डा सं. 49 के सम्मिलित सीमा पर स्थित बिन्दु क5 से प्रारंभ होकर मौजा भेरण्डा सं. 49 और बसडीहा सं. 47 के सम्मिलित सीमा से प्रारंभ होते हुए बसडीहा सं. 47, भेरण्डा सं. 49 और हरक्खा सं. 50 के त्रिसंगम पर स्थित बिन्दु क6 पर मिलती है ।
- क6-क7 मौजा बसडीहा सं. 47, भेरण्डा सं. 49 और हरक्खा सं. 50 के त्रिसंगम पर स्थित बिन्दु क6 से प्रारंभ होकर मौजा भेरण्डा सं. 49 और हरक्खा सं. 50 के सम्मिलित सीमा होते हुए मौजा बसडीहा सं. 47 और हरक्खा सं. 50 के सम्मिलित सीमा स्थित बिन्दु क7 पर मिलती है ।
- क7-क8 मौजा बसडीहा सं. 47 और हरक्खा सं. 50 के सम्मिलित सीमा स्थित बिन्दु क7 से प्रारंभ होकर प्लॉट सं. 1053 को पार कर प्लॉट सं. 1041 के पश्चिमी सीमा से होते हुए हरक्खा मौजा सं. 50 के प्लॉट सं. 1039 के दक्षिणी सीमा पर स्थित बिन्दु क8 पर मिलती है ।
- क8-क9 मौजा हरक्खा सं. 50 के प्लॉट सं. 1039 के दक्षिणी सीमा पर स्थित बिन्दु क8 से प्रारंभ होकर उसी प्लॉट की दक्षिणी सीमा से होते हुए प्लॉट सं. 1037, 1036, 1035, 1034 को पार कर पुनः प्लॉट सं. 1026 और 1024 के दक्षिणी सीमा होते हुए प्लॉट सं. 1017 सड़क को पार कर पुनः प्लॉट सं. 960, 959, 958, 957 के दक्षिणी सीमा होते हुए प्लॉट सं. 967 के दक्षिणी पूर्वी सीमा होते हुए, प्लॉट सं. 968 के दक्षिणी सीमा होते हुए प्लॉट सं. 968, 972, 1001 और 1002 के संगम पर स्थित बिन्दु क9 पर मिलती है ।
- क9-क10 रेखा बिन्दु क9 से प्रारंभ होकर प्लॉट सं. 1001 के पूर्वी सीमा से होते हुए प्लॉट सं. 1005 के पूर्वी दक्षिणी सीमा होते हुए हरक्खा सं. मौजा 50 के प्लॉट सं. 990, 1005 और 1006 के संगम पर स्थित बिन्दु क10 पर मिलती है ।
- क10-क11 मौजा हरक्खा के प्लॉट सं. 990, 1005, 1006 के संगम स्थित बिन्दु क10 से प्रारंभ होकर रेखा प्लॉट सं. 1000, 1001, 1005 और 973 के पश्चिमी सीमा होते हुए हरक्खा मौजा सं. 50 के प्लॉट सं. 973 के उत्तरी सीमा पर स्थित बिन्दु क11 पर मिलती है ।
- क11-क12 मौजा हरक्खा सं. 50 के प्लॉट सं. 973 के उत्तरी सीमा स्थित बिन्दु क11 से प्रारंभ होकर प्लॉट सं. 973, 956, 955 और 954 के उत्तरी सीमा होते हुए प्लॉट सं. 1017 को पार कर प्लॉट सं. 1027 के उत्तरी सीमा होकर प्लॉट 1034 को पार कर प्लॉट सं. 1035, 1036, 1037, 1038, 1043, 1048, 1049, 1050 के उत्तरी सीमा होकर प्लॉट सं. 1054 को पार कर प्लॉट सं. 1060, 1059 के उत्तरी सीमा से होकर मौजा हरक्खा सं. 50 और भेरण्डा सं. 49 के सम्मिलित सीमा पर स्थित बिन्दु क12 पर मिलती है ।
- क12-क13 मौजा हरक्खा सं. 50 और भेरण्डा सं. 49 के सम्मिलित सीमा पर स्थित बिन्दु पर क12 से प्रारंभ होकर रेखा हरक्खा सं. 50 और भेरण्डा सं. 44 की सम्मिलित सीमा से होते हुए हरक्खा सं. 50 के प्लॉट सं. 1074 के दक्षिणी सीमा पर स्थित बिन्दु क13 पर मिलती है ।
- क13-क14 मौजा भेरण्डा सं. 49 के प्लॉट सं. 84 के दक्षिणी सीमा पर स्थित बिन्दु क13 से प्रारंभ होकर मौजा भेरण्डा सं. 49 के प्लॉट सं. 84 को पार कर प्लॉट सं. 205, 204, 198, 197, 196, 223, 226, 227, 228, 229, 236, 241, 243, 244 के पश्चिमी सीमा से होते हुए भेरण्डा मौजा के प्लॉट सं. 244, 169, 168 के संगम पर स्थित बिन्दु क14 पर मिलती है ।
- क14-क15 मौजा भेरण्डा सं. 49 के प्लॉट सं. 244, 169 और 168 के संगम पर स्थित बिन्दु क14 से प्रारंभ होकर रेखा प्लॉट सं. 168, 257 के पश्चिमी दक्षिणी सीमा होकर प्लॉट सं. 258 भाग के पश्चिमी सीमा पर प्लॉट सं. 259 अंश के उत्तरी सीमा प्लॉट सं. 261 के उत्तर-पश्चिमी सीमा प्लॉट सं. 262 के पश्चिमी प्लॉट सं. 263 के पश्चिमी दक्षिणी, प्लॉट सं. 264 भाग के पश्चिमी सीमा 266 के पश्चिमी-दक्षिणी सीमा होते हुए प्लॉट सं. 269 सड़क को पार कर, मौजा पहाड़पुर 48 के प्लॉट सं. 42, 43 और 44 के पश्चिमी सीमा, प्लॉट सं. 44 और 45 के दक्षिणी सीमा 38, 48, 49, 52 और 75 के पश्चिमी सीमा हेतु हुए प्लॉट सं. 75, 84, 88, 74 के संगम पर स्थित बिन्दु क15 पर मिलती है ।
- क15-क16 मौजा पहाड़पुर 48 प्लॉट सं. 75, 84, 88, 74 के संगम स्थित बिन्दु क15 से प्रारंभ होकर प्लॉट सं. 88, 89, 91, 183, 184, 182, 191 के पश्चिमी सीमा प्लॉट सं. 186, 187, 188 के उत्तरी सीमा प्लॉट सं. 189, 197, 202, 203, 171 के पश्चिमी सीमा से होते हुए प्लॉट सं. 171, 206, 207, 208 के संगम पर स्थित बिन्दु क16 पर मिलती है ।

- क16-क17 मौजा पहाड़पुर 48 प्लॉट सं. 171, 206, 207, 208 के संगम पर स्थित बिन्दु क16 से प्रारंभ होकर रेखा, प्लॉट सं. 170, 169 के पश्चिमी होते हुए प्लॉट सं. 123 सड़क को पार कर प्लॉट सं. 590 भाग के उत्तरी सीमा प्लॉट सं. 591, 592, 595, 596, 597, 640, 635 के पश्चिमी, प्लॉट सं. 635, 634 के दक्षिणी सीमा, प्लॉट सं. 633, 630 के पश्चिमी प्लॉट 786, 787 के पश्चिमी सीमा होते हुए तलझारी मौजा सं. 19 के प्लॉट सं. 503, 511, 512, 513 के पश्चिमी सीमा होते प्लॉट सं. 516 को पार कर मौजा तलझारी सं. 19, केशगरिया सं. 20 के सम्मिलित सीमा पर स्थित क17 पर मिलती है।
- क17-18 मौजा तलझारी सं. 19 और केशगरिया सं. 20 के सम्मिलित सीमा पर स्थित बिन्दु क17 से प्रारंभ होकर, रेखा उक्त मौजा के सम्मिलित सीमा होते हुए उसी सीमा पर स्थित बिन्दु क18 पर मिलती है।
- क18-19 मौजा तलझारी सं. 19 और केशगरिया सं. 20 के सम्मिलित सीमा पर स्थित बिन्दु क18 से शुरू होकर केशगरिया प्लॉट सं. 135 के उत्तरी पूर्वी सीमा, प्लॉट सं. 135, 134, 133, 132, 130 के पूर्वी सीमा और प्लॉट सं. 130, 131, 117, 104, 103, 282 के दक्षिणी सीमा से होते हुए मौजा तलझारी सं. 19 और केशगरिया सं. 20 के सम्मिलित सीमा पर स्थित बिन्दु क19 पर मिलती है।
- क19-20 मौजा तलझारी सं. 19 और केशगरिया सं. 20 के सम्मिलित सीमा पर स्थित बिन्दु क19 से प्रारंभ होकर रेखा उक्त मौजा सम्मिलित सीमा होते हुए उसी पर स्थित बिन्दु क 20 पर मिलती है।
- क20-क1 मौजा तलझारी सं. 19 और केशगरिया सं. 20 के सम्मिलित सीमा पर स्थित बिन्दु क20 से शुरू होकर रेखा केशगरिया सं. 20 के प्लॉट सं. 18 को पार कर मौजा केशगरिया सं. 20 और बड़ा भोड़ा सं. 18 के सम्मिलित सीमा पर स्थित बिन्दु क1 पर मिलती है।

सीमा विवरण (ख। से ख 3) :

- ख 1-ख 2 मौजा लोहिण्डया बाजार सं. 45, हरक्खा सं. 50 और बसडीहा सं. 47 के त्रिसंगम पर स्थित बिन्दु ख1 से प्रारंभ होकर रेखा मौजा लोहिण्डया बाजार सं. 45, बसडीहा सं. 47 के सम्मिलित सीमा होते हुए उक्त सम्मिलित सीमा स्थित बिन्दु ख2 पर मिलती है।
- ख 2-ख 3 मौजा लोहिण्डया बाजार सं. 45 और बसडीहा सं. 47 के सम्मिलित सीमा पर स्थित बिन्दु ख2 से शुरू होकर रेखा बसडीहा सं. 47 के प्लॉट सं. 1 के दक्षिणी सीमा से होकर मौजा बसडीहा सं. 47 हरक्खा सं. 50 के सम्मिलित सीमा पर स्थित बिन्दु ख 3 पर मिलती है।
- ख 3-ख 1 मौजा बसडीहा सं. 47 और हरक्खा सं. 50 के सम्मिलित सीमा स्थित बिन्दु ख3 से शुरू होकर उक्त मौजा के सम्मिलित सीमा से होते हुए मौजा बसडीहा सं. 47 हरक्खा सं. 50 और लोहिण्डया सं. 45 के त्रिसंगम पर स्थित बिन्दु ख। पर मिलती है।

[फा. सं. 43015/29/2009-पीआरआईडब्ल्यू-1]

ए. के. दास, अवर सचिव

New Delhi, the 30th April, 2012

**S.O. 1568.**—Whereas by the notification of the Government of India in the Ministry of Coal number S.O. 672 dated the 22nd February, 2011, issued under sub-section (1) of Section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), (hereinafter referred to as the said Act) and published in the Gazette of India, Part - II, Section - 3, Sub-Section (ii) dated the 5th March, 2011, the Central Government gave notice of its intention to acquire the lands and all rights in or over such lands specified in the schedule appended to that notification;

And whereas the competent authority in pursuance of Section 8 of the said Act has made his report to the Central Government;

And whereas the Central Government after considering the report aforesaid and after consulting the Government of Jharkhand is satisfied that the lands measuring 282.88 hectares. (approximately) or 698.72 acres (approximately) and all rights in or over such lands as described in Schedule appended hereto should be acquired.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 9 of the said Act, the Central Government hereby declares that the land measuring 282.88 hectares (approximately) or 698.72 acres (approximately) and all rights in or over such lands as described in schedule are hereby acquired.

The plan bearing number ECL/RJML/MOUZA/NOTI/84 dated the 18th April, 2011, of the area covered by this notification may be inspected at the office of the Deputy Commissioner, Godda or at the office of the Coal Controller, 1,

Council House Street, Kolkata (Pin- 700 001) or at the office of the Director Technical (Operation), Eastern Coalfields Limited, Sanctoria ,P.O. Dishergarh, District-Burdwan (West Bengal), Pin Code-713 333.

### SCHEDULE

Lalmatia Coal Mining Block (Phase VII)

Thana - Lalmatia

District - Godda (Jharkhand)

(Plan bearing number ECL/RJML/MOUZA/NOTI/84 dated the 18th April, 2011)

All Rights :

Sl. No.	Name of Mouzal/ Village *	Village Number	Patwari Halka/JL number *	Tahsil/ PS*	District	Area in Hectares approximately	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1	Bansdiha	47	47	Boarjore/Lalmatia	Godda	0.33	Part
2	Harakkha	50	50	Boarjore/Lalmatia	Godda	13.64	Part
3	Taljhari	19	19	Boarjore/Lalmatia	Godda	131.59	Part
4	Keshgaria	20	20	Boarjore/Lalmatia	Godda	12.40	Part
5	Paharpur	48	48	Boarjore/Lalmatia	Godda	71.01	Part
6	Bharanda	49	49	Boarjore/Lalmatia	Godda	53.91	Part
Total Area:						282.88	

\* As per revenue records

Total Area : 282.88 hectares (approximately)

or 698.72 acres (approximately)

Plot numbers to be acquired in :--

1. Mouza Bansdiha :

Plot number:- 1

2. Mouza Harakkha:

Plot numbers:- 780, 954, 955, 956, 957, 958, 959, 960, 967, 968, 969, 970, 971, 972, 973, 1000, 1001, 1005, 1017 Part, 1024, 1026, 1027, 1034 Part, 1035 Part, 1036 Part, 1037 Part, 1038, 1039, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053 Part, 1054, 1055, 1056, 1057, 1058, 1059, 1060.

3. Mouza Taljhari :

Plot numbers:- 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372.

373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756.

#### 4. Mouza Keshgaria :

Plot numbers:- 18 Part, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 130, 131, 132, 133, 134, 135, 279, 280, 281, 282.

#### 5. Mouza Paharpur :

Plot numbers:- 46, 47, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 185, 186, 187, 188, 198, 199, 200, 201, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 593, 594, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 631, 632, 636, 637, 638, 639.

#### 6. Mouza Bharanda :

Plot numbers:- 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 242, 265, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353.

Boundary Description of the area falling under Lalmatia Coal Mining Block (Phase VII) to be notified under Section 7(1) of the CBA (A&D) Act, 1957.

Boundary Description (A 1 to A 20) :

A 1-A2 Line starts from Point A 1 on common boundary of Mouza Bara Bhorai No. 18 and Keshgaria No. 20 Passes through the common boundary of Mouza Bara Bhorai No. 18 and Keshgaria No. 20 crosses the tri-junction

pillar of Mouza, Keshgaria No. 20, Taljhari No. 19 and Bara Bhorai No. 18, again passes through the common Mouza boundary of Bara Bhorai No. 18 and Taljhari No. 19 and meets at Point A2 on tri-junction pillar of Mouza Bara Bhorai No. 18, Taljhari No. 19 and Basdiha No. 47.

- A2-A3** Line starts from Point A2 on tri-junction pillar of Mouza Bara Bhorai No. 18, Taljhari No. 19 and Basdiha No. 47; passes through the common Mouza Boundary of Taljhari No. 19 and Basdiha No. 47. and meets at Point no. A3 on tri-junction pillar of Taljhari No. 19, Basdiha No. 47 and Paharpur No. 48.
- A3-A4** Line starts from Point A3 on tri-junction pillar of Mouza Taljhari No. 19, Basdiha No. 47 and Paharpur No. 48; passes through the common Mouza boundary of Basdiha No. 47 and Paharpur No. 48 and meets at Point No. A4 on tri-junction pillar of Mouza Basdiha No. 47, Paharpur No. 48 and Bharanda No. 49.
- A4-A5** Line starts from Point No. A4 on tri-junction pillar of Mouza Basdiha No. 47, Paharpur No. 48 and Bharanda No. 49; passes through the common boundary of Basdiha No. 47 and Bharanda No. 49; meets at Point A5 on the common mouza boundary of Basdiha No. 47 and Bharanda No. 49.
- A5-A6** Line starts from point A5 on common Mouza boundary of Basdiha No. 47 and Bharanda No. 49; passes through the common Mouza bounhdary of Basdiha No. 47 and Bharanda No. 49 and meets at Point A6 on tri-junction pillar of Mouza Basdiha No. 47, Bharanda No. 49 and Harrakha No. 50.
- A6-A7** Line starts from point No. A6 on tri-junction Pillar of Mouza Basdiha No. 47, Bharanda No. 49 and Harakha No. 50; passes through the common Mouza boundary of Basdiha No. 47 and Harrakha No. 50; meets at Point No. A7 on common Mouza boundary of Basdiha No. 47 and Harrakha No. 50.
- A7-A8** Line starts from Point No. A7 on common Mouza boundary of Basdiha No. 47 and Harrakha No. 50; crosses the road on Plot No. 1053; passes through the western boundary of Plot No. 1041 and meets at Point No. A8 on southern boundary of Plot No. 1039 in Mouza Harrakha No. 50.
- A8-A9** Line starts from Point No. A8 on southern boundary of Plot No. 1039 in Mouza Harrakha No. 50; passes through the southern boundary of Plot No. 1039; crosses the plot no. 1037, 1036, 1035, 1034; again passes through southern boundary of Plot No. 1026, 1024; crosses the road on Plot No. 1017; passes through southern boundary of Plot No. 960, 959, 958, 957; eastern and southern boundary of Plot No. 967, southern boundary of Plot No. 968 and meets at Point No. A9 at the junction of Plot No. 968, 972, 1001 and 1002.
- A9-A10** Line starts from Point No. A9 passes through the eastern boundary of Plot No. 1001; eastern and southern boundary of Plot No. 1005; meets on Point A 10 at the junction of Plot No. 990, 1005 and 1006 in Mouza Harrakha No. 50.
- A10-A11** Line starts from Point No. A 10; passes through western boundary of Plot No. 1000, 1001, 1005, 973; and meets at Point No. A11 on northern boundary of Plot No. 973 in mouza Harrakha No. 50.
- A11-A12** Line starts from Point No. A 11 on Northern boundary of plot No. 973 in mouza Harrakha No. 50; passes through the northern boundary of Plot No. 973, 956, 955, 954; crosses the road on Plot no. 1017; passes through the northern boundary of Plot no. 1027; crosses the plot No. 1034; passes through the northern boundary of Plot no. 1035, 1036, 1037 1038, 1043, 780, 1048, 1049, 1050; crosses the Plot No. 1054; passes through northern boundary of 1060, 1059; and meets at the Point no. A12 on common mouza boundary of Harrakha No. 50 and Bharanda No. 49.
- A12-A13** Line starts from A 12 on the common Mouza boundary of Harrakha No. 50 and Bharanda No. 49; passes through the common Mouza Boundary of Harrakha No. 50 and Bharanda No. 49 and meets at Point No. A 13 on southern boundary of Plot No. 1074 of Mouza Harrakha No. 50.
- A13-A14** Line starts from point No. A 13 and crosses Plot No. 84 of Mouza Bhiranda No. 49 and passes along western boundary of plot no. 205, 204, 198, 197, 196, 223, 226, 227, 228, 229, 236, 241, 243, 244 and meets at point no. A 14 at the junction of Plot No. 244, 169, 168 of Mouza Bhiranda No. 49.

- A14-A15 Line starts from A 14 and passes along western and southern boundary of Plot No. 168, 257; western boundary (Part) of Plot no. 258, Northern boundary (Part) of Plot No. 259, northern and western boundary of Plot No. 261; western boundary of Plot No. 262; western and southern boundary of Plot No. 263; western boundary (Part) of Plot No. 264; western and southern boundary of Plot No. 266 and crosses the road on Plot No. 269 of Mouza Bhiranda No. 49 and the line enters the Mouza Paharpur No. 48. The line passes along the western boundary of Plot No. 42, 43, 44 and also southern boundary of Plot No. 44 & 45; again passes along the western boundary of Plot No. 38, 48, 49, 52, and 75 of Mouza Paharpur No. 48 and meets the point No. A 15 at the junction of Plot Nos. 75, 84, 88 and 74 of Mouza Paharpur No. 48.
- A15-A16 Line starts from the Point No. A 15 situated on junction of plot no. 75,84,88,74 of Mouza Paharpur - 48 and passes along the western boundary of Plot No. 88, 89, 91, 184, 183, 182, 191 and again passes along northern boundary of Plot No. 186, 187, 188 and along western boundary of Plot No. 189, 197, 202, 203, 171 and meets at point no. A16 situated on junction of 171,206,207,208.
- A16-A17 Line starts from point no. A 16 situated on junction of 171,206,207,208 of Mouza Paharpur -48; passes through the western boundary of plot no. 170,169 and crosses plot no. 123(road) and passes through northern boundary of plot no. 590 & western boundary of plot no. 591,592,595,596,597,640,635 and southern boundary of plot No. 635,634 and western boundary of plot no. 633,630, and south western boundary of plot no. 786,787; and again passes through western boundary of plot no. 503,511,512,513, crosses plot no. 516 of Mouza Taljhari-19 and meets at point no. A 17 situated on common boundary of Mouza Taljhari-19 and Keshgaria - 20.
- A17-A18 The line starts from point A 17, passes along the common boundary of Mouza Taljhari No. 19 and Keshgaria No. 20 and meets at Point No. A 18 on the common Mouza boundary of Taljhari No. 19 and Keshgaria No. 20
- A18-A19 Line starts from the Point A 18 on common Mouza boundary of Taljhari No. 19 and Keshgaria No. 20; passess through north eastern boundary of Plot No. 135, eastern boundary of Plot No. 135, 134, 133, 132, 130 and southern boundary of Plot No. 130, 131, 117, 104, 103,282; and meets at Point No. A19 on the common Mouza boundary of Keshgaria No. 20 and Taljhari No. 19.
- A 19-A20 Line starts from the Point A 19 on common Mouza boundary of Taljhari No. 19 and Keshgaria No. 20; passes through the common Mouza boundary of Taljhari No. 19 and Keshgaria No. 20 and meets at Point No. A20 on the common Mouza boundary of Taljhari No. 19 and Keshgaria No. 20.
- A20-A 1 Line starts from Point No. A20 on common Mouza boundary of Taljhari No. 19 and Keshgaria No. 20; crosses the Plot No. 18 of Mouza Keshgaria No. 20 and meets at the Point No. A 1 on common Mouza boundary of Bara Bhorai No. 18 and Keshgaria No. 20.

#### Boundary Description (B1 - B3):

- B1-B2 Line starts from the Point No. B1 on tri-junction pillar of Mouza Lohandia Bazar No. 45, Harakha No. 50 and Basdiha No. 47; passes through the common Mouza boundary of Lohandia No. 45 and Basdiha No. 47 and meets at the Point No. B2 on common Mouza boundary of Lohandia No. 45 and Basdiha No. 47.
- B2-B3 Line starts from the Point No. B2 on common Mouza boundary of Lohandia No. 45 and Basdiha No. 47, passes through the southern boundary of Plot No.1 in Mouza Basdiha No. 47 meets at point B3 on common boundary of Basdiha No. 47 and Harakha No. 50.
- B3-B1 Line starts from the Point No. B3 on common Mouza boundary of Bansdiha No. 47 and Harakha No. 50, Passes through the common Mouza boundary of Bansdia No. 47 and Harakha No. 50 meets at the Point No. B1 on tri-junction Pillar of Mouza Bansdiha No. 47, Harakha No. 50 and Lohandia No. 45.

[F. No. 43015/29/2009-PRIW-I]

A. K. DAS, Under Secy.

**श्रम और रोजगार मंत्रालय**

नई दिल्ली, 3 अप्रैल, 2012

क.आ. 1569.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सीनियर सुपरिन्टेन्डेंट ऑफ पोस्ट के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारियों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार, श्रम न्यायालय, कोटा के पंचाट (संदर्भ संख्या 24/1998) को प्रकटित करती है, जो केन्द्रीय सरकार को 3-4-2012 को प्राप्त हुआ था।

[सं. एल-40012/51/1998-आई आर (डी यू)]

रमेश सिंह, डेस्क अधिकारी

**MINISTRY OF LABOUR AND EMPLOYMENT**

New Delhi, the 3rd April, 2012

S.O. 1569.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 24/1998) of Industrial Tribunal, Kota as shown in the Annexure, in the industrial dispute between The Management of The Sr. Superintendent of Post and their workman, which was received by the Central Government on 3-4-2012.

[No. L-40012/51/1998-IR (DU)]  
RAMESH SINGH, Desk Officer**अनुबंध**न्यायाधीश, औद्योगिक न्यायाधिकरण,  
कोटा/केन्द्रीय/कोटा/राज.

पीठासीन अधिकारी : श्री प्रकाश चन्द्र पगारीया, आर.एच.जे.एस.

निर्देश प्रकरण क्रमांक : औद्योगिक न्या./केन्द्रीय/24/98

दिनांक स्थापित : 17-12-1998

प्रसंग : भारत सरकार, श्रम मंत्रालय, नई दिल्ली के आदेश संख्या एल-40012/51/98 आई आर (डीयू) दि. 30-11-98

निर्देश/विवाद अन्तर्गत धारा 10(1)(घ) औद्योगिक विवाद अधिनियम, 1947

**मध्य**

राजेश कुमार गुप्ता पुत्र श्री गोविन्द गुप्ता ..... प्रार्थी श्रमिक

**एवं**

सीनियर, सुपरिन्टेन्डेंट पोस्ट ऑफिस, कोटा ..... अप्रार्थी नियोजक

**उपस्थित**

प्रार्थी श्रमिक की ओर से प्रतिनिधि श्री नरेन्द्र सिंह चौधरी

अप्रार्थी नियोजक की ओर से कोई उपस्थित नहीं

अधिनिर्णय दिनांक : 7-2-2012

**अधिनिर्णय**

भारत सरकार, श्रम मंत्रालय, नई दिल्ली के प्रासांगिक आदेश/अधिसूचना दि. 30-11-98 के जरिये निम्न निर्देश/विवाद, औद्योगिक विवाद अधिनियम, 1947 (जिसे तदुपरांत "अधिनियम" से सम्बोधित किया जाएगा) की धारा 10(1)(घ) के अन्तर्गत इस न्यायाधिकरण को अधिनिर्णयार्थ सम्प्रेषित किया गया है :

"Whether the action of Postal Department through Sr. Superintendent Post Office, Kota and Officer in terminating the services of Sh. Rajesh Kumar Gupta S/o Sh. Govind Gupta as EDMS is legal and justified? If not, what relief the concerned workman is entitled to and from which date?"

2. निर्देश/विवाद, न्यायाधिकरण में प्राप्त होने पर पंजीबद्ध उपरान्त पक्षकारों को सूचना/नोटिस विधिवत जारी कर अवगत करवाया गया।

3. प्रार्थी श्रमिक की ओर से क्लेम स्टेटमेंट प्रस्तुत कर संक्षिप्त: यह अभिकथन किया गया कि प्रार्थी को अप्रार्थी के अधीन दि. 18-6-93 को ई.डी.एम.सी. के रिक्त पद पर लगाया गया था, किन्तु उसे अप्रार्थी क्रम 2 सहायक अधीक्षक डाकघर पश्चिम, मुख्य डाकघर, कोटा द्वारा अपने पत्र दि. 20-4-95 के जरिये अचानक सेवा से हटाकर 21-4-95 से सेवा मुक्त कर दिया गया। प्रार्थी ने अप्रार्थी क्रम 1 सीनियर सुपरिन्टेन्डेंट पोस्ट ऑफिस, कोटा जोकि अप्रार्थी क्रम 2 का अपीलेट व प्रशासनिक अधिकारी है, उक्त कार्यवाही के विरुद्ध दि. 24-4-95 को अपील की किन्तु उसे नौकरी पर नहीं लिया गया। प्रार्थी ने पुनः सेवा में रखने बाबत आवेदन करने पर भी आनन्दीलाल को उसके स्थान पर रख लिया व अन्य मुकेश को भी नियुक्ति दे दी व कई नयी भरती कर ली। प्रार्थी ने अप्रार्थीगण के अधीन ईडीएमसी के पद पर 18-6-93 से 21-4-95 तक 240 दिन से भी अधिक समय तक कार्य किया किन्तु उसे सेवामुक्त करने से पूर्व कोई नोटिस वेतन एवं क्षतिपूर्ति भत्ता नहीं दिया एवं ना ही सेवा मुक्ति का कारण बतलाया। इस प्रकार अधिनियम की धारा 25-एफ व एच की पालना नहीं किये जाने से सेवा से हटाना अवैध व अनुचित है। अन्त में क्लेम स्टेटमेंट के माध्यम से प्रार्थी ने सेवा की निरन्तरता व पिछले समस्त वेतन परिलाभों सहित सेवा में बहाली के अनुतोष की प्रार्थना की।

4. अप्रार्थी की ओर से उक्त क्लेम स्टेटमेंट का जवाब प्रस्तुत कर संक्षिप्त अभिकथन किया गया है कि प्रार्थी को केवल ओमप्रकाश ईडीएमसी, इंदिरा गांधी नगर की अनुपस्थिति में डाक कार्य की व्यवस्था चलाने हेतु उप-डाकपाल इंदिरा गांधी नगर द्वारा लगाया गया था, उसे सक्षम नियुक्ति अधिकारी सहा. अधीक्षक डाक कोटा द्वारा नहीं लगाया गया। विधिवत नियुक्ति रोजगार कार्यालय से प्राप्त नामों में से की जाती है तथा प्रार्थी का नाम रोजगार कार्यालय, कोटा द्वारा प्रेषित सूची में नहीं था। ई.डी. कर्मचारियों की नियुक्ति ई.डी. सर्विस एवं कण्डेक्ट रूल्स, 1965 के भाग-III (मैथड ऑफ रिट्यूमेंट रूल्स) के अन्तर्गत निर्धारित नियमों व निर्देशों के अनुसार की जाती



है। प्रार्थी की नियमित नियुक्ति सक्षम नियुक्ति अधिकारी द्वारा नहीं की गयी तो उसे कोई नोटिस या मुआवजा देने का सवाल पैदा नहीं होता एवं ना ही धारा 25-एफ व एच के उल्लंघन को कोई प्रश्न पैदा होता है। अन्त में अप्रार्थी की ओर से जवाब के माध्यम से प्रार्थी का क्लेम स्टेटमेन्ट खारिज किये जाने की प्रार्थना की गयी।

5. इसके पश्चात साक्ष्य प्रार्थी में प्रार्थी राजेश कुमार गुप्ता का शपथ-पत्र पेश हुआ, अप्रार्थी द्वारा उससे जिरह की गयी। अप्रार्थी की ओर से अपनी साक्ष्य में धन्नालाल मीणा, रामकल्याण व गणपतराव के शपथ-पत्र पेश किये गये जिनसे प्रार्थी पक्ष द्वारा जिरह की गयी।

6. इसके पश्चात बहस अन्तिम के प्रक्रम पर अप्रार्थी की ओर से कोई उपस्थित नहीं हुआ एवं आदेशिका दि. 16-4-09 के बाद से अप्रार्थी के प्रतिनिधि ने उपस्थित आना बन्द कर दिया। आदेशिका दि. 21-10-2011 के अनुसार भी उस दिन अप्रार्थी विभाग की ओर से कोई उपस्थित नहीं आया एवं अन्त में यह उल्लेखित किया गया कि आइंदा उभयपक्ष बहस की तैयारी के साथ आवे एवं इसके बावजूद भी यदि कोई पक्ष बहरा नहीं करता है तो यह माना जायेगा कि वह बहस करने का इच्छुक नहीं है एवं ऐसी परिस्थिति में जो पक्षकार बहस करने का इच्छुक होगा उसकी बहस सुनी जाकर अग्रिम कार्यवाही की जायेगी। इसके बाद 3-2-2012 को भी अप्रार्थी की ओर से कोई उपस्थित नहीं आया, अतः इस तिथि को प्रार्थी के प्रतिनिधि की बहस सुनी गयी। दौराने बहस उन्होंने प्रार्थी द्वारा क्लेम स्टेटमेन्ट में वर्णित तथ्यों को साक्ष्य से साबित कर दिये जाने से वांछित अनुतोष प्रदान किये जाने का निवेदन किया व इस सम्बन्ध में "अपट्रॉन इण्डिया लिमिटेड बनाम पीठासीन अधिकारी, औद्योगिक न्याया. लखनऊ-1998 (78) एफ एल आर 745" के न्यायनिर्णय का हवाला दिया गया। इस न्यायनिर्णय में यह प्रतिपादित किया गया कि प्रबन्धन के लिए यह अनुज्ञेय नहीं है कि वह कर्मकार को बिना नोटिस दिये या जाँच किये सेवा से समाप्त कर दे। अतः उन्होंने कर्मकार को वांछित अनुतोष प्रदान किये जाने की मांग की।

7. हमने इस सम्बन्ध में पत्रावली पर आयी हुई साक्ष्य व सामग्री का परिशीलन किया एवं उक्त न्यायनिर्णय में प्रतिपादित सिद्धांत पर भी मनन किया।

8. अब जहाँ तक हस्तगत निर्देश (रेफ्रेन्स) जो हुआ है, उसकी भाषा निम्न अनुसार है :

"Whether the action of Postal Department through Sr. Superintendent Post Office, Kota and Officer in terminating the services of Sh. Rajesh Kumar Gupta S/o Sh. Govind Gupta as EDMS is legal and justified ? If not, what relief the concerned workman is entitled to and from which date ?"

9. इस प्रकार इस निर्देश (रेफ्रेन्स) की भाषा के पढ़ने से यह स्पष्ट प्रकट हो जाता है कि कहीं पर भी इस मामले में कर्मकार की सेवा समाप्ति की तिथि का उल्लेख नहीं है तो अब किस तिथि से कर्मकार की सेवा समाप्त मानी जावे व क्या न्यायाधिकरण ऐसी कोई तिथि तय करने की अधिकारिता रखता है या नहीं, इस बाबत माननीय

राज. उच्च न्यायालय का एक न्यायनिर्णय "महावीर कण्डक्टर बनाम नन्दकिशोर-2003 डब्ल्यू एल सी (राज.) यू. सी. पृष्ठ 424" का इसी बिन्दु पर हो चुका है। इस न्यायनिर्णय में सेवाओं के पर्यवसान की तिथि का उल्लेख नहीं होने से श्रम न्यायालय किसी कर्मकार के कथनानुसार पर्यवसान की तिथि को स्वीकार कर निर्देश की शर्तों में सुधार, संशोधन या उपात्तरण करने में सक्षम नहीं है एवं ना ही न्यायालय को पक्षकारों की सहमति से ऐसी अधिकारिता प्राप्त होती है। ऐसा प्रतिपादित किया गया है। अतः निर्देश में पर्यवसान की तिथि वर्णित नहीं होने से श्रम न्यायालय द्वारा कर्मकार नन्दकिशोर के बारे में पारित अधिनियम को अपास्त कर दिया गया। इस न्यायनिर्णय में यह प्रतिपादित किया गया कि जहाँ निर्देश में सेवा से हटाने या मुक्त करने की तिथि का अंकन नहीं है तो श्रम न्यायालय को उस तिथि को सही करने या संशोधन करने की अधिकारिता पक्षकारों द्वारा ऐसी तिथि सुझावित किये जाने पर भी प्राप्त नहीं हो जाती है। अर्थात् अन्य शब्दों में यदि निर्देश में सेवा से मुक्त या हटाने की तिथि का कोई अंकन नहीं है एवं दोनों ही पक्षकार यदि ऐसी तिथि बता भी देते हैं तो भी श्रम न्यायालय को बतायी गयी तिथि को मानकर उसके आधार पर निर्देश उत्तरित करने का अधिकार प्राप्त नहीं हो जाता है। इस न्यायनिर्णय के पैरा सं. 11 में माननीय उच्चतम न्यायालय द्वारा मदनपाल सिंह बनाम उत्तर प्रदेश राज्य व अन्य-ए आई आर 2000 एस. सी. 537 के निर्णय को विवेचित किया गया तथा अन्त में यह निष्कर्ष निकाला गया कि श्रम न्यायालय निर्देश में वर्णित बिन्दुओं तक ही सीमित क्षेत्राधिकार रखता है एवं उसको पक्षकारों के नामों में निर्देश से परे जाकर संशोधन आदि का अधिकार प्राप्त नहीं होता। यदि नामों या तिथि आदि में कोई परिवर्तन या अंकन कराना है तो पक्षकारों को समुचित सरकार के समक्ष इस बाबत पक्ष रखकर उसमें संशोधन कराना होगा, परन्तु श्रम न्यायालय ऐसा संशोधन करने की अधिकारिता नहीं रखता। अतः इसी निर्णय को आधार मानते हुए माननीय उच्च न्यायालय ने हस्तगत मामले में श्रम न्यायालय द्वारा पारित अधिनियम को क्षेत्राधिकार के अभाव का मानते हुए अपास्त कर दिया।

10. उपरोक्त न्यायनिर्णय में प्रतिपादित सिद्धांत को इस प्रकरण के तथ्यों पर घटित करके देखा जाये तो इस मामले में भी निर्देश जो सक्षम सरकार द्वारा किया गया है उसमें प्रार्थी राजेश कुमार गुप्ता को अप्रार्थी द्वारा सेवा से कब पृथक किया गया है, ऐसी कोई तिथि का उल्लेख नहीं है। अतः हस्तगत मामले में भले ही पक्षकारों ने अपने क्लेम स्टेटमेन्ट एवं उसके जवाब में या साक्ष्य में प्रस्तुत शपथ-पत्र में सेवा से निष्कासन की तिथि का उल्लेख किया हो, परन्तु माननीय उच्चतम एवं उच्च न्यायालय द्वारा ऊपर विवेचित किये गये न्यायनिर्णयों में प्रतिपादित सिद्धांतों के अनुसार इस न्यायालय को ऐसे पक्षकारों का संशोधन या प्रस्ताव स्वीकार किये जाने की अधिकारिता नहीं होने से इस न्यायालय/न्यायाधिकरण की राय में यह न्यायाधिकरण यदि कोई अधिनियम भी पारित करता है तो वह क्षेत्राधिकार के अभाव का होकर शून्य होगा। इस न्यायनिर्णय के खण्डन में या अन्य कोई निर्णय भी इस न्यायाधिकरण के नोटिस में नहीं आया जिसमें कि ऊपर वर्णित स्थिति के बावजूद भी न्यायाधिकरण को निर्देश अधिनियमित करने का अधिकार प्राप्त हो। अतः कुल मिलाकर स्थिति उक्त न्यायनिर्णयों के

ही अभी तक प्रभावशील होना पायी जाती है। अतः ऐसी परिस्थिति में सम्पूर्ण विवेचन के उपरान्त इस न्यायालय की राय में इतना ही कहना पर्याप्त है कि हस्तगत निर्देश में प्रार्थी की सेवामुक्ति तिथि का कोई अंकन नहीं होने से यह न्यायाधिकरण ऐसे निर्देश में कोई अधिनिर्णय पारित करने की अधिकारिता प्राप्त नहीं रखता है एवं यदि पक्षकार चाहें तो सक्षम सरकार से इस बाबत निर्देश में संशोधन कराकर न्यायाधिकरण में पेश करता है तो न्यायाधिकरण ऐसा संशोधन होने पर प्रकरण में विधि अनुसार अग्रिम कार्यवाही कर सकेगा, परन्तु इस प्रक्रम पर फिलहाल यह मामला इस न्यायाधिकरण के क्षेत्राधिकार के अभाव का पाया जाता है।

परिणामस्वरूप भारत सरकार, श्रम मंत्रालय, नई दिल्ली के प्रासंगिक आदेश सं. एल-40012/51/98 आई आर (डी यू) दि. 30-11-98 के जरिये सम्प्रेषित निर्देश को इसी अनुरूप उतरित किया जाता है कि माननीय राज. उच्च न्यायालय द्वारा "महावीर कण्डक्टर बनाम नन्दकिशोर-2003 डबल्यू. एल. सी. (राज.) यू. सी. पृष्ठ 424" के न्यायनिर्णय में प्रतिपादित सिद्धांत के अनुसरण में हस्तगत निर्देश में प्रार्थी राजेश कुमार गुप्ता के सेवा समाप्ति तिथि का कोई उल्लेख नहीं होने से व इस न्यायाधिकरण को पक्षकारों द्वारा सुझायी गयी तिथि को स्वीकार किये जाने का अधिकार नहीं होने से निर्देश में अधिनिर्णय पारित किया जाना शून्य एवं क्षेत्राधिकार के अभाव का होगा। पक्षकार यदि चाहें तो सक्षम सरकार से इस सेवा समाप्ति तिथि बाबत संशोधन कराकर न्यायाधिकरण में पेश करें तो न्यायाधिकरण विधि अनुसार आगे निस्तारण की कार्यवाही कर सकेगा।

प्रकाश चन्द्र पगारीया, न्यायाधीश

नई दिल्ली, 9 अप्रैल, 2012

का.आ. 1570.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एफ. सी. आई. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, अर्नाकुलम के पंचाट (आई डी संख्या 21/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-4-2012 को प्राप्त हुआ था।

[सं. एल-22011/12/2008-आई आर (सी एम-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 9th April, 2012

S.O. 1570.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 21/2008) of the Cent. Govt. Indus. Tribunal-cum-Labour Court, Ernakulam as shown in the Annexure, in the industrial dispute between the management of Food Corporation of India, and their workmen, which was received by the Central Government on 9-4-2012.

[No. L-22011/12/2008-IR (CM-II)]

D. S. S. SRINIVASA RAO, Desk Officer

## ANNEXURE

### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ERNAKULAM

Present : Shri D. Sreevallabhan B.Sc., LL.B.,  
Presiding Officer

(Wednesday the 21st day of March, 2012/1st Chaithra,  
1934)

L.D. 21/2008

#### Union :

The General Secretary,  
Food Corporation of India Workers Association  
(CITU),  
State Committee Office,  
Trivandrum.

By Adv. Shri Santhosh G. Prabhu

#### Managements :

1. The Sr. Regional Manager,  
Food Corporation of India,  
Regional Office,  
Kesavadasapuram,  
Thiruvananthapuram.

2. The Area Manager,  
Food Corporation of India,  
Valiathura, Trivandrum.

By Adv. Shri. M. R. Anison

This case coming up for final hearing on 13-3-2012 and this Tribunal-cum-Labour Court on 21-3-2012 passed the following :

#### AWARD

In exercise of the powers conferred by Clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 the Government of India, Ministry of Labour by its Order No. L-20011/12/2008-IR (CM-II) dated 5-6-2008 referred this industrial dispute to this Tribunal for adjudication.

#### 2. The dispute is :

"Whether the action of the management of FCI in recovering the losses from the wages of workmen on account of demurrage charges levied by the Railway for unloading of foodgrains from railway wagon during weekly off/rest day is legal and justified ? To what relief are the workmen entitled ?"

3. The Food Corporation of India Workers Association (CITU) represented by its General Secretary raised the industrial dispute challenging the decision of

the management to recover the demurrage charges of Rs. 69,000 from the DPS workers in the Kazhakuttom Depot of the management.

4. Management is the Food Corporation of India (FCI), a Central Government undertaking incorporated under the Food Corporations Act, 1964, entrusted with the responsibility of procurement, movement, storage and distribution of foodgrains. Management is completely depending on Indian Railways to transport the foodgrains. DPS workers are engaged for handling foodgrains in its godowns and railway heads. The Direct Payment System (DPS) was introduced in FCI w.e.f. 1-5-1996. The wagons placed for unloading by the railway in the godowns are to be unloaded within the free time and if there is any failure it will result in incurring Demurrage Charges (D.C.).

5. Members of the union are the DPS workers in the Kazhakuttom Depot of FCI. They are headload workers engaged mainly in unloading the articles from the railway wagons to the FCI godown and are working under the DPS.

6. Intimation was given to the DPS workers by the Area Manager, Manager (Depot), FSD, Kazhakuttom as to the placement of wagons for unloading on 3-12-2006. They were called upon to be present at 7 a.m. on that day to carryout the unloading work. It being a Sunday none of them attended the unloading work claiming it to be a weekly off day. Hence there was failure to unload the wagons within the free time. Thereby the management had to pay Rs. 69,000 as D.C. to the railways. The management issued show cause notice dated 5-12-2006 calling upon their explanations for absenting themselves from duty on 3-12-2006 and for recovery of DC claimed by the railways from them. Since no explanation was received from them a decision was taken on 6-1-2007 to recover the DC from them. Challenge is made as to the validity of the decision to recover the DC from them by raising the industrial dispute.

7. The plea put forward by the union in the claim statement to justify the non attendance of duty on 3-12-2006 is that as per the working agreement of DPS and the existing Labour Laws a workman continuously working for six days in a week is eligible for weekly off on the seventh day and normally it is Sunday since the normal working days in FCI commences from Monday. It is also alleged that from the date of introduction of DPS, FCI was paying one extra wage for the work of weekly off day and holidays and for the work after normal working hours. Later FCI reduced working hour and the total earning on overtime/weekly off day work was reduced by 2% of the wages. As per the existing orders of FCI a workman must be ready to work for 365 days in an year, including night, without any benefits. The DPS workers have to start their work as and when the wagons are placed for unloading by

the railways. Hence they have to work on all holidays and weekly off days. As the DPS worker has to attend the family affairs and personal activities the workmen have unanimously submitted a representation before the Area Manager of the FCI at Trivandrum on 10-10-2006 about the grievance for work on weekly off days and holidays. They have the eligibility for expecting and enjoying a weekly off day and the management has no authority to deny their statutory rights. The management is not entitled to recover any amount from them for not working on the weekly off day.

8. The contentions put forward by the management in the written statement are that as and when the Indian Railways places the wagons in the FCI godowns the FCI is bound to load or unload the goods within nine hours of placement irrespective of the time and day and hence the workers engaged for loading and unloading activities have to perform their duties as and when required so as to avoid payment of DC. All those workers engaged in loading and unloading of wagons throughout the country perform their duties irrespective of the time and day of the placement of the wagons. But the workers of the Kerala State alone took a different stand and refused to unload the wagons placed on Sundays. The refusal of the DPS workers to work on Sundays resulted in huge loss to the management by way of penal demurrage and wharfage charges payable to the railways. The Sunday placement of wagons takes place occasionally and only three or four times in a depot in an year. All the remaining Sundays are enjoyed by the DPS workers as paid holidays. FCI is paying wages to those workers for all the days in an year irrespective of the availability of work. Therefore, they are duty bound to safeguard the interest of the FCI, railways and the nation at large. Refusal to work on Sundays is wilful disobedience and amounts to illegal strike. Therefore, they are liable to compensate the loss suffered by FCI due to their illegal activities. If any employee works on Sunday he is entitled to compensatory leave on any other day. FCI is requesting its workers to work on Sundays only under compelling circumstances which are beyond its control. It is due to the placement of wagons by the railways that such employees are bound to work on Sundays. The workers engaged on Sundays are allowed to take their weekly off on any other day thereafter and therefore it will not defeat the purpose of granting weekly off. FCI has not violated any provision of any Act or Rules in proceeding against them for the recovery of the DC incurred due to their deliberate non attendance of duty. From December 2006 onwards the workmen represented by the union are not attending the work on Sunday. It has resulted in the levy of Rs. 12,50,000 towards DC by the Southern Railway. As per the DPS Scheme FCI is entitled to make the workmen liable for the loss caused to the FCI and they are also subject to action under Model Standing Orders under the Industrial Employment (Standing Orders) Act, 1946.

Therefore the FCI is justified in recovering the loss sustained from the wages of the absentee workmen.

9. Union filed rejoinder denying the contentions in the written statement and reaffirming the allegations in the claim statement.

10. For the purpose of deciding this reference one witness was examined from the side of the union as WW1. From the side of the management one witness was examined as MW1 and Exts. M1 to M10 were got marked.

11. The points for determination are :

- (1) Whether the DPS workers have to attend duty on Sunday being the weekly off day ?
- (2) Whether the DC was incurred due to the deliberate non attendance of duty by the DPS workers on 3-12-2006 ?
- (3) Whether the action of the management to recover the DC from the wages of those workers is legal and justified ?
- (4) What relief, if any, they are entitled to ?

12. **Point No. 1 :** The dispute centres round the question as to whether Sunday is a regular weekly off day for the DPS workers and whether they have to attend the duties assigned to them on that day. DPS was introduced in the Kazhakuttam depot on 14-5-1996. The conditions of service of the DPS workers are contained in Ext. M2. Weekly off for the DPS workers is dealt with in para 16(a) of Ext. M2 and the same is extracted below as it is relevant for the consideration of this issue in this case.

**“16(a) Weekly Off:**

Each worker will be allowed paid weekly off on Sundays provided he has worked on all the working days of the week preceding the day of weekly off. In case a Handling Worker will be employed on the day of his weekly off, he will be paid one extra wage at the rate of Minimum Guaranteed Daily wage or actual wages for the work done on the basis of ASORs on such weekly off days—whichever is higher—in addition to normal wage equal to Minimum Guaranteed Daily Wage at the above rates for such weekly off again provided the worker has worked on all the working days of the week preceding the day of weekly off. In case an Ancillary (Casual) worker is employed on the day of his weekly off, he will be paid one extra wage equal to the above Minimum Guaranteed Daily Wage for attending work on such weekly off day in addition to the normal Minimum Guaranteed Daily Wage for such weekly off, provided he has also worked on all the working days of the week preceding the day of weekly off”.

13. The weekly off day is on Sunday. Entitlement for the weekly off day is only when there was continuous work for the preceding six days. DPS workers can be engaged for duty on the weekly off day for which he is to

be paid one extra wage @ Minimum Guaranteed Daily Wage or actual wages for the work done on the basis of ASORs on such weekly off days whichever is higher. Such extra wage is to be paid only if the worker had worked on all the working days of the week preceding the day of weekly off. It is expressly clear that the DPS workers can be employed on the day of his weekly off and he cannot refuse to attend the work claiming it to be a weekly off day.

14. DPS workers have to attend duty even on paid holidays. Para 16(c) provides that the DPS workers shall be allowed six paid holidays (including three national holidays) in a calendar year. Except those holidays on 2nd Saturdays and other gazetted holidays which are closed holidays for the depot staff shall be working days for the DPS workers. They cannot as a matter of right refuse to do work on holidays except the six paid holidays in a calendar year.

15. Before and after the implementation of DPS, DPS workers were attending duty on Sundays. It was stated by WW1 during his cross-examination that it is because of the reduction of the overtime wages they were not attending duty on Sundays after giving notice to the management. It is the decision of the unions to abstain from attending duty on Sundays. They had submitted a representation on 10-10-2006 about the grievance of the work on weekly off days and holidays. There is no evidence in this case to prove that there was any change with regard to the conditions of service contained in Ext. M2 enabling the DPS workers to keep away from duty on Sundays. They had to attend duty only when there is placement of wagons for unloading. The wagons are to be unloaded within the free time and if otherwise DC have to be paid. It might have necessitated the attendance of duty by the DPS workers on Sundays and other holidays.

16. DPS workers have to attend the duty if they are employed on weekly off day by the management as per the conditions of service contained in Ext. M2.

17. **Point No. 2 :** All the DPS workers did not attend duty on 3-12-2006 in spite of Ext. M3 notice dated 2-12-2006 calling upon them to attend duty at 7 a.m. on that day to unload the wagons without payment of DC. According to them it is a weekly off day and they did not attend the duty pursuant to the decision taken by the unions not to attend the duty on Sundays. Sunday is a weekly off day only if they were continuously working on all the preceding six days. Here in this case there is neither any pleading nor any evidence to prove that they were working on all the preceding six days to claim it as a weekly off day. Even if it was a weekly off day then also they are bound to attend the duty if they are employed for duty on that day. In the conditions of service as to six paid holidays and sick leave the word used is “shall” in para 16(b) and (c) while the word used is “will” in para 16(a) dealing with weekly off. It will also go to show that the DPS workers are

not entitled to claim the weekly off as a day for day of enjoyment without attending the work assigned to them. If the DPS workers want all the Sundays to be holidays without any duty it is necessary to have a change in the conditions of service. Until then they are bound by the conditions of service contained in Ext. M2. On 3-12-2006 there was deliberate non attendance of duty by the DPS workers and it can be said to be an illegal strike.

18. Due to the non attendance of duty on 3-12-2006 by the DPS workers the wagons could be unloaded only on 4-12-2006 and thereby the FCI had to pay an amount of Rs. 69,000 as DC and the same is evidenced by Exts. M4 bill and M6 receipt.

19. Ext. M7 notice dated 5-12-2006 was issued to the DPS workers calling upon them to submit their explanations for their non attendance of duty on 3-12-2006 and for the recovery of Rs. 69,000 incurred as DC from their wages. As they did not submit any explanation it was decided by the management to recover Rs. 548 from the wages of each of the 126 DPS workers and they were informed about it by issuing Ext. M8 notice dated 6-1-2007.

20. DPS workers wilfully refused to attend the work on 3-12-2006 after the receipt of Ext. M3 notice. They had not submitted even any explanation when they were called upon to submit the same by issuing Ex. M7. They cannot refuse to attend the work for the reason that it was a Sunday. It is because of the deliberate non attendance of duty on that day that resulted in incurring the DC.

21. **Point No. 3 :** On behalf of the Central Government FCI transports foodgrains from different parts of the country and stores in its godowns to make it available to public distribution system. It is a non-profit organisation engaged in the pursuit of providing food security to the nation. FCI is bound to load or unload the goods within the free time allowed by the Indian Railways and it is evidenced by Ext. M1. As it is necessary to unload the wagons within the free time, DPS workers have to attend the duty on weekly off days and other holidays except on the six paid holidays as per the terms of Ext. M2. If they will abstain from attending the work it is likely to cause payment of DC and other loss to the FCI. In this case it is the concerted action of refusal to attend the duty on Sunday that resulted in incurring DC.

22. Now it is to be considered whether in such a case the DC can be recovered from the wages of the DPS workers. It is pertinent to note that the DPS workers did not submit any explanation to Ext. M7 notice admitted to have been received by them and it was admitted to by WWI during his cross-examination.

23. In para 17 of the written statement there is the contention that the FCI is entitled to make the workmen liable for the loss caused to the FCI as per the DPS Scheme and the FCI is justified in recovering the loss sustained by

it from the wages of the unwilling workmen. There is no express provision in Ext. M2 which enables the management to recover the DC from the DPS workers. Clause-15 of Ext. M2 provides that the workers found indulging in disobedience, misconduct etc. shall be subject to action under Model Standing Orders provided in Industrial Employment (Standing Orders) Act, 1946. As per Section 14 of the said Act, disciplinary action can be initiated against the workmen for misconduct and a workman can be fined up to 2% of his wages in a month for the acts and omissions which are notified with the previous approval of the Government of the prescribed authority in pursuance of Section 8 of the Payment of Wages Act, 1946. It was submitted by the learned counsel for both sides that no notification has so far been issued by the management specifying the acts and omissions amounting to misconduct. Even in the absence of any statutory provision the employer can deduct wages for the wilful refusal to attend the work. It is not necessary to hold an enquiry against each employee before the deduction of wages. It was so held by the Apex Court in the decision reported in *Bank of India vs. Kelawala* 1990(1) KLT 843. The gist of the decision is as follows :

“There is no doubt that whenever a worker indulges in a misconduct such as a deliberate refusal to work, the employer can take a disciplinary action against him and impose on him the penalty prescribed for it which may include some deduction from his wages. However, when misconduct is not disputed but is, on the other hand, admitted and is resorted to on a mass scale such as when the employees go on strike, legal or illegal, there is no need to hold an inquiry. To insist on an inquiry even in such cases is to pervert the very object of the inquiry. In a mass action such as a strike it is not possible to hold an inquiry against every employee nor is it necessary to do so unless, of course, an employee contends that although he did not want to go on strike and wanted to resume his duty, he was prevented from doing so by the other employees or that the employer did not give him proper assistance to resume his duty though he had asked for it. The pro rata deduction of wages is not an unreasonable exercise of power on such occasions. Whether on such occasions the wages are deductible at all and to what extent will, however, depend on the facts of each case. Although the employees may strike only for some hours but there is no work for the rest of the day as in the present case, the employer may be justified in deducting salary for the whole day. On the other hand, the employees may put in work after the strike hours and the employer may accept it or acquiesce in it. In that case the employer may not be entitled to deduct wages at all or be entitled to deduct them only for the hours of strike. If further statutes

such as the Payment of Wages Act or the State enactments like the Shops and Establishments Act apply, the employer may be justified in deducting wages under their provisions. Even if they do not apply, nothing prevents the employer from taking guidance from the legislative wisdom contained in it to adopt measures on the lines outlined therein, when the contract of employment is silent on the subject.”

Paras 4, 13 and 22 of the judgment are relevant for the purpose of deciding this case and hence the same is extracted below :

“4. The principal question involved in the case, according to us, is notwithstanding the absence of a term in the contract of employment or of a provision in the service rules or regulations, whether an employer is entitled to deduct wages for the period that the employees refuse to work although the work is offered to them. The deliberate refusal to work may be the result of various actions on their part such as a sit-in or stay-in strike at the workplace or a strike whether legal or illegal, or a go-slow tactics. The deliberate refusal to work further may be legal or illegal as when the employees go on a legal or illegal strike. The legality of strike does not always exempt the employees from the deduction of their salaries for the period of strike. It only saves them from a disciplinary action since a legal strike is recognised as a legitimate weapon in the hands of the workers to redress their grievances. It appears to us that this confusion between the strike as legitimate weapon in the hands of the workmen and the liability of deduction of wages incurred on account of it, whether the strike is legal or illegal, has been responsible for the approach the High Court has taken in the matter.

13. Among the decisions of the various High Courts relied upon by the parties in support of the respective cases, we find that except for the decision in *V. Genesan v. The State Bank of India & Ors.* [(1981) 1 LLJ 64] given by the learned Single Judge of the Madras High Court and the decision of the Division Bench of the same Court in that matter and other matters decided together in the *State Bank of India, Canara Bank, Central Bank etc. & ors. v. Genesan, Jambunathan, Venkataraman, B. V. Kamath, V. K. Krishnamurthy, etc. & Ors.* [(1989) 1 LLJ 109], all other decisions namely, (i) *Sukumar Bandyopadhyay & Ors. v. State of West Bengal & Ors.* [(1976) IX LIC 1689], (ii) *Algemene Bank, Nederland, N. V. v. Central Government Labour Court, Calcutta & Ors.* [(1978) II LLJ. 117], (iii) *V. Ramachandran v. Indian Bank* [(1979) I LLJ 122], (iv) *Dharam Singh Rajput & Ors. v. Bank of India, Bombay & Ors.* [(1979) 12 LIC 1079], (v) *R. Rajamanickam, for*

himself and on behalf of other Awardy Staff *v. Indian Bank* [(1981) II LLJ 367], (vi) *R. N. Shenoy & Anr. etc. v. Central Bank of India & Ors. etc.* 1983 KLT 381 = [(1984) XVII LIC 1493], (vii) *Prakash Chandra Johari v. Indian Overseas Bank & Anr.*, [(1986) II LLJ 496], have variously taken the view that it is not only permissible for the employer to deduct wages for the hours or the days for which the employees are absent from duty but in cases such as the present, it is permissible to deduct wages for the whole day even if the absence is for a few hours. It is also held that the contract is not indivisible. Some of the decisions have also held that the deduction of wages can also be made under the provisions of the Payment of Wages Act and similar statutes where they are applicable. It is further held that deduction of wages in such cases is not a penalty but is in enforcement of the contract of employment and hence no disciplinary proceedings need precede it.

22. The principles which emerge from the aforesaid authorities may now be stated. Where the contract, Standing Orders or the service rules/regulations are silent on the subject, the management has the power to deduct wages for absence from duty when the absence is a concerted action on the part of the employees and the absence is not disputed. Whether the deduction from the wages will be pro rata for the period of absence only or will be for a longer period will depend upon the facts of each case such as whether there was any work to be done in the said period, whether the work was in fact done and whether it was accepted and acquiesced in, etc.”

24. Deduction of wages for refusal to work is not on pro rata basis and it depends upon the facts and circumstances in each case. Here in this case there was wilful refusal on the part of the DPS workers to attend the work on 3-12-2006 in spite of the intimation to unload the wagons without incurring DC. DC was to be paid by the FCI solely due to the wilful refusal to attend the work. It is a well ascertained sum of money amounting to Rs. 69,000 paid as DC. There is no need to have any enquiry or any further adjudication in the matter. Opportunity was given to the workmen to submit their explanations. But they did not submit any explanation. There is no violation of the principles of natural justice which caused any prejudice to the DPS workers. The loss caused to the FCI amounting to Rs. 69,000 is solely due to the deliberate non attendance of duty by the DPS workers on 3-12-2006. It can be taken into consideration for the purpose of determining the amount to be deducted from the wages for their wilful refusal to work on that day. Hence the action of the management in recovering the loss from the wages of the workmen on account of the DC levied by the railway for unloading of foodgrains from the railway wagons on 3-12-2006 is legal and justified.

25. **Point No. 4 :** As the action of the management is found to be legal and justified workmen are not entitled to any relief.

The award will come into force one month after its publication in the Official Gazette.

D. SREEVALLABHAN, Presiding Officer

#### APPENDIX

##### Witness for the Union :

WW1 — K. G. Rajumon, State Secretary, Food Corporation of India Workers Association (CITU), FCI, Kollam.

##### Witness for the Management :

MW1 — M. Dileep Kumar, Area Manager, FCI, District Office, Thiruvananthapuram.

##### Exhibits of the Union :

NIL

##### Exhibits of the Managements :

M1 — Photocopy of the letter No. TC-1/2005/201/2 Pt. D of Government of India, Ministry of Railways. Railway Board dated 10-10-2006.

M2 — Photocopy of the Letter No. IR(L)/8(22)/94 of the Executive Director (General) dated 14-06-1996 as to the introduction of Direct Payment System in Food Corporation of India's owned depots.

M3 — Notice dated 2-12-2006 issued by the Manager (depot) FCI, Kazhakuttam to the DPS workers.

M4 — Photocopy of Bill No. 2006/2/04-12-2006 dated 5-12-2006 of Station Master, Southern Railway, Kazhakuttam.

M5 — Photocopy of Office copy of Letter No. MC. 10/DC/AMT/2007-08 dated 17-04-2007 of the Manager (Depot), FCI, District Office, Trivandrum to the Manager (D) FSD, Kazhakuttam and the Station Master, Southern Railway, Kazhakuttam.

M6 — Photocopy of the receipt No. 487761 dated 20-12-2006 of the Southern Railway of demurrage charges of Rs. 69,000.

M7 — Notice No. IR(L)/1/2006 dated 5-12-2006 issued from the Food Corporation of India, District Office, Trivandrum.

M8 — Notice No. IR(L)/1/2006 dated 6-1-2007 issued from The Food Corporation of India, District Office, Trivandrum.

M9 — Office copy of Letter No. MC. 10(2)/WAIVER/AMT/06-07 dated 19-12-2006 addressed to the Divisional Commercial Manager of the Southern Railway by the Area Manager, FCI, District Office, Thiruvananthapuram.

M10 — Office copy of Letter No. MC. 10(2)/Waiver/AMT/06-07 dated 23-3-2007 addressed to the Divisional Commercial Manager of the Southern Railway by the Area Manager, FCI, District Office, Thiruvananthapuram.

नई दिल्ली, 10 अप्रैल, 2012

का.आ. 1571.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स युनाइटेड इण्डिया इन्सुरेन्स कं. लि. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नागपुर के पंचाट (संदर्भ संख्या 65/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-04-2012 को प्राप्त हुआ था।

[सं. एल-17012/37/2004-आई आर (बी-1)]  
रमेश सिंह, डेस्क अधिकारी

New Delhi, the 10th April, 2012

S.O. 1571.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 65/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure, in the industrial dispute between the management of M/s. United India Insurance Co. Ltd. and their workman, which was received by the Central Government on 10-04-2012.

[No. L-17012/37/2004-IR(B-1)]  
RAMESH SINGH, Desk Officer

#### ANNEXURE

**BEFORE SHRIJ. P. CHAND, PRESIDING OFFICER, CGIT-CUM-LABOUR COURT, NAGPUR**

**Case No. CGIT/NGP/65/2005**

Date : 26-03-2012

**Party No. 1 :** The Regional Manager, United India Insurance Co. Ltd., Regional Office, Ambica House, 19, Dharmapeth Extn., Shankar Nagar Sq. Nagpur-440010.

1's.

**Party No. 2 :** Shri Amar Papalal Hattal, R/o Boriapura, P.O. Kamptee, Distt. Nagpur

**AWARD**

(Dated : 26th March, 2012)

In exercise of powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government has referred the industrial dispute between the employers in relation to the management of United India Insurance Co. Ltd. and their workman Shri Amar Papalal Hattel for adjudication, as per letter No. L-17012/37/2004-IR (B-I) dated 8-8-2005, with the following Schedule :

**SCHEDULE**

"Whether the management of United India Insurance Co. Limited, Nagpur is justified in terminating the services of the workman Shri Amar Papalal Hattel, Sweeper w.e.f. 1st February, 2004 without complying with Section 25-F of the I.D. Act, 1947 ? If not, to what relief the said workman is entitled ?"

2. On receipt of the reference, the parties were noticed to file their respective statement of claim and written statement and accordingly, the workman, Shri Amar Papalal Hattel, ("the workman" in short), filed the statement of claim and the management of United India Insurance Co. Ltd., ("Party No. 1" in short) filed its written statement.

The case of the workman as projected in the statement of claim is that he was appointed as a class-IV employee with party No. 1 in the year 1992 and from the date of his initial appointment, he worked continuously with Party No. 1 and completed more than 240 days of service and thereby acquired the status of a permanent employee, but instead of regularizing his services, Party No. 1 allowed him to continue in temporary basis on a daily wages of Rs. 50 and he was not issued with any appointment order and wages was being paid to him on vouchers, sometimes in his name and some times in the name of other including his brother and the Party No. 1 was engaged in unfair labour practice, in not showing him on their rolls continuously and the Party No. 1 is an industry and he is a workman and he was required to clean the office tables and chair, sweeping the office premises and also to clean the office toilets and the work was of perennial in nature and as he worked continuously for 5 years, it was obligatory on the part of Party No. 1 to regularize his services and he made repeated request orally for regularizing his services and also submitted a representation in writing on 12-1-2004, but Party No. 1 became annoyed with him and terminated his services w.e.f. 1-2-2004, without following the mandatory provisions of law contemplated under Sections 25-F and 25-G of the Act and before terminating his services, neither any notice nor any notice pay in lieu of notice or

retrenchment compensation was offered to him and the oral termination of his services is illegal and he is entitled for reinstatement in service.

The workman has prayed for his reinstatement in service with continuity and all back wages.

3. The Party No. 1 in its written statement has pleaded inter alia that the workman was never appointed as a class-IV employee and he did not work continuously and also did not complete more than 240 days of work and the workman was given the work of a part time sweeper purely on temporary basis, as and when required and he was neither a full time sweeper at any time nor was employed by it continuously and the workman had never completed 240 days of work in a year and he is not a workman within the meaning of the Act and as his engagement was as a part time sweeper, purely on temporary and casual basis as and when required, he was liable to be discontinued at any time, without any notice and the workman is not entitled to get any relief.

4. Both the parties have adduced oral evidence in support of their respective claims, besides placing reliance on documents. The workman, who has examined himself as a witness has reiterated the facts mentioned by him in the statement of claim, in his examination-in-chief. In his cross-examination, he has admitted that he has not filed any appointment order showing his appointment in the year 1992. He has further admitted that he has not filed any document to show that he had completed 240 days continuous service in one year and he has not filed any document to show that he was paid the wages in the name of others including his brother.

5. One Pralhad L. Gedam, a Divisional Manager, has been examined as a witness on behalf of Party No. 1. This witness has also reiterated the facts mentioned in the written statement in his examination-in-chief. In his cross-examination, this witness has stated that the workman was working as a part time sweeper and he was being engaged as and when required. This witness has admitted that the days of engagement as shown in the document. Ext. W-1 filed by the workman, is correct.

6. At the time of argument, it was submitted by the learned advocate for the workman that the workman worked with Party No. 1 from 1992 till 31-1-2004 and completed more than 240 days continuous service in each calendar year and he was entitled for regularization and the work which the workman was performing was of perennial in nature and as the workman worked continuously for 5 years it was obligatory on the part of Party No. 1 to regularize him but the Party No. 1 terminated his services orally w.e.f. 1-2-2004, without following the mandatory provisions of Section 25F and 25G of the Act and the termination of the services of the workman amounts to retrenchment and due to non compliance of the



mandatory provisions, the retrenchment is illegal and as such, the workman is entitled for reinstatement in service with continuity and full back wages.

7. Per contra, it was submitted by the learned advocate for the Party No. 1 that the workman was engaged as a part time sweeper purely on temporary basis as and when required and he had never completed 240 days in a year or in the preceding 12 months prior to the date of his alleged termination and there was no necessity to comply with the provision of Section 25F of the Act, before discontinuance of his service and the workman is not entitled to any relief.

8. In view of the stands taken by the parties, I think it apt to mention the principles enunciated by the Hon'ble Apex Court in this regard, before embarking upon the discussion of the merit of the case.

(a) The Hon'ble Apex Court, in the decision reported in AIR 1966 SC-75 (Employees, Digawadih Colliery Vs. Their workman) have held that :

"Though Section 25-F speaks of continuous service for not less than one year under the employer, if the workman has actually worked for 240 days during a period of 12 calendar months, both the conditions are fulfilled. The definition of "Continuous Service" need not be read into Section 25-B. The fiction converts service of 240 days in a period of twelve calendar months into continuous service for one complete year. The amended Section 25-B only consolidates the provisions of Section 25(B) and 2(eee) in one place, adding some other matters. The purport of the new provisions, however, is not different. In fact, the amendment of Section 25-F of the Principal Act by substituting in clause (b) of words "for every completed year of continuous service" has removed a discordance between the unamended Section 25B and the unamended Cl. (b) of Section 25-F. No uninterrupted service is necessary if the total service is 240 days in a period of twelve calendar months either before the several changes or after these. The only change in the Act is that this service must be during a period of twelve calendar months preceding the date with reference to which calculation has to be made. The last amendment has now removed a vagueness which existed in the unamended Section 25-B".

(b) In the decision reported in AIR 1981 SC-1253 (Mehanlal Vs. M/s. Bharat Electronics Ltd.), the Hon'ble Apex Court have held that, —

"Industrial Disputes Act, 1947 (14 of 1947), Section 25-B (1) and (2)—Continuous service— Scope of sub-section (1) and (2) is different, (words and phrases—Continuous Service).

Before a workman can complain of retrenchment being not in consonance with Section 25-F, he has to show that he has been in continuous service for not less than one year under that employer, who has retrenched him from service. Section 25-B as the dictionary clause for the expression "Continuous". Both in principle and are precedent it must be held that Section 25-B (2) comprehends a situation where a workman do not in employment for a period of 12 calendar months, but has rendered for a period of 240 days within the period of 12 calendar months commencing and counting backwards from the relevant date, i.e. the date of retrenchment. If he has, he would be deemed to be in continuous service for a period of one year for the purpose of Section 25-B and Chapter V-A".

(e) The Hon'ble Apex Court in the decision reported in AIR 2003 SC-38 (M/s. Essen Deinay Vs. Rajeev Kumar) has held that :

"Industrial Disputes Act, 1947 (14 of 1947) S. 25-F, 10-Retrenchment compensation-Termination of services without payment of—Dispute referred to Tribunal-Case of workman/claimant that he had worked for 240 days in a year preceding his termination-Claim denied by the management-Onus lies upon claimant to show that he had in fact worked for 240 days in a year-In absence of proof of receipt of salary workman is not sufficient evidence to prove that he had worked for 240 days in a year preceding his termination."

9. So, it is clear from the principles enunciated by the Hon'ble Apex Court in the decisions mentioned above that for applicability of Section 25-F of the Act, it is necessary to prove that the workman worked for 240 days in preceding 12 calendar months commencing and counting backwards from the relevant date and the burden of such proof is upon the workman. So, keeping in view the settled principles enunciated by the Hon'ble Apex Court, now, the present case at hand is to be considered.

10. The present case at hand is now to be considered with the touch-stone of the principles enunciated by the Hon'ble Apex Court and it is to be found out if the workman has been able to prove that he had in fact worked at least for 240 days in the year preceding his termination. According to the workman, his services were orally terminated on 1-2-2004. So, it is necessary for him to prove that in the preceding twelve calendar months of 1-2-2004, he had worked for 240 days.

In support of such claim, besides his oral evidence, the workman has relied on the document, Ext. W-1. On perusal of Ext. W-1, it is found that the workman had worked for 33 days, 189 days, 191 days and 201 days in the year 2000, 2001, 2002 and 2003 respectively. The workman has

not produced any other document to show that he worked for 240 days in the preceding 12 months of 1-2-2004. Hence, the provisions of Section 25-F of the Act are not applicable to the case of the workman. There is also no evidence regarding violation of the provisions of Section 25-G of the Act by the Party No. 1. Hence, it is ordered :

### ORDER

The management of United India Insurance Co. Limited, Nagpur is justified in terminating the services of the workman Shri Amar Papalal Hattel, Sweeper w.e.f. 1st February, 2004 without complying with Section 25-F of the I.D. Act, 1947. The workman is not entitled to any relief.

J. P. CHAND, Presiding Officer

नई दिल्ली, 11 अप्रैल, 2012

का.आ. 1572.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण एवं श्रम न्यायालय, कोटा के पंचाट (संदर्भ संख्या 4/98) को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-4-2012 को प्राप्त हुआ था।

[सं. एल-12012/140/97-आई आर (बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 11th April, 2012

S.O. 1572.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 4/98) of the Industrial Tribunal-cum-Labour Court, Kota, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 2-4-2012.

[No. L-12012/140/97-IR (B-I)]

RAMESH SINGH, Desk Officer

### अनुबंध

न्यायाधीश, औद्योगिक न्यायाधिकरण,  
कोटा/केन्द्रीय/कोटा/राज.

पीठासीन अधिकारी : श्री प्रकाश चन्द्र, पगारीया,  
आर.एच.जे.एस.

निर्देश प्रकरण क्रमांक : औ. न्या./केन्द्रीय/4/98

दिनांक स्थापित : 26-2-98

प्रसंग : भारत सरकार, श्रम मंत्रालय, नई दिल्ली के  
आदेश संख्या एल-12012/140/97-आईआर  
(बी.आई.) 17-2-98

निर्देश/विवाद अन्तर्गत धारा 10(1)(घ) औद्योगिक विवाद  
अधिनियम, 1947

### मध्य

डालचन्द तेली निवासी ग्राम गाडरियावास, पो. ऑफिस घोसुंदा,  
जिला चित्तौड़गढ़

—प्रार्थी श्रमिक

### एवं

प्रबन्धक, स्टेट बैंक ऑफ इण्डिया शाखा, चित्तौड़गढ़, राजस्थान

—अप्रार्थी नियोजक

### उपस्थित

प्रार्थी श्रमिक की ओर से प्रतिनिधि : श्री डी.आर. द्विवेदी

अप्रार्थी नियोजक की ओर से प्रतिनिधि : श्री वी. के. जैन

अधिनिर्णय दिनांक : 13-1-2012

### अधिनिर्णय

भारत सरकार, श्रम मंत्रालय, नई दिल्ली द्वारा अपने उक्त प्रासांगिक आदेश दि. 17-2-98 के जरिये निम्न निर्देश/विवाद, औद्योगिक विवाद अधिनियम, 1947 (जिसे तदुपरान्त "अधिनियम" से सम्बोधित किया जायेगा) की धारा 10(1)(घ) के अन्तर्गत इस न्यायाधिकरण को अधिनिर्णयार्थ सम्प्रेषित किया गया है :

"Whether the action of the management of State Bank of India, through the Manager State Bank of India, Branch Chittorgarh in not absorbing in permanent capacity as per the agreement arrived at between the management and the Union in the year 1991 and terminating the service of workman Shri Dalchand Teli Water Boy-cum-Messenger in the year 1991 is fair and just ? If not to what relief the concerned workman is entitled and from what date ?"

2. निर्देश/विवाद, न्यायाधिकरण में प्राप्त होने पर पंजीबद्ध उपरान्त पक्षकारों को नोटिस/सूचना जारी कर विधिबद्ध अवगत करवाया गया।

3. प्रार्थी की ओर से अपना क्लेम स्टेटमेंट पेश किया गया जिसमें वर्णित किया गया कि प्रार्थी को प्रबन्धक एवं यूनियन के मध्य वर्ष 1991 में हुए समझौते के अनुसार अप्रार्थी को सेवा में समायोजित नहीं किया गया है। प्रार्थी को दैनिक वेतन के आधार पर अप्रार्थी बैंक द्वारा वर्ष 87 में नियोजित नहीं किया गया एवं प्रार्थी 6-7-91 तक अस्थायी रूप से चपरासी के पद पर लगातार सेवा में रहा। अप्रार्थी तथा श्रमिक यूनियन के मध्य सन् 1991 में यह समझौता हुआ कि जो भी कर्मचारी बैंक सेवा में अस्थायी है एवं जिन्होंने 240 दिन से अधिक कार्य किया है, उन्हें बैंक सेवा में समायोजित किया जायेगा। इसके लिए बैंक ने आवेदन मांगे, प्रार्थी ने भी आवेदन किया, परन्तु

प्रार्थी को अप्रार्थी ने सेवा में समायोजित नहीं किया एवं समझौता का उल्लंघन किया। अप्रार्थी का कृत्य उचित नहीं है एवं प्रार्थी जून, 91 से ही अप्रार्थी की सेवा में समायोजित होने का अधिकारी है। प्रार्थी को सेवा से हटाने से पूर्व कोई नोटिस या नोटिस अवधि का मुआवजा आदि भी नहीं दिया गया, ना ही कोई वरिष्ठता सूची का प्रकाशन किया गया। प्रार्थी के बाद में सेवा में आये श्रमिक आज भी सेवा में कार्यरत हैं। प्रार्थी के मामले में धारा 25-एफ अधिनियम की पालना भी नहीं की गयी। अतः प्रार्थी ने अप्रार्थी के यहां जून, 91 से ही नियमित सेवा में समायोजित किये जाने एवं उसे अनुरूप समस्त पिछला पूरा वेतन व अन्य लाभ दिलाये जाने की प्रार्थना इस क्लेम स्टेटमेंट के माध्यम से की है।

4. प्रार्थी के क्लेम स्टेटमेंट से अवगत होकर अप्रार्थी ने अपना जवाब प्रस्तुत किया जिसमें प्रार्थी के क्लेम स्टेटमेंट में वर्णित तथ्यों को अस्वीकार किया व इस तथ्य को भी गलत बताया कि अप्रार्थी ने उसे 1987 से 6-7-91 तक अस्थायी रूप से चपरासी के पद पर नियुक्त किया तथा भारतीय स्टेट बैंक व स्टेट बैंक स्टाफ फंडेशन के मध्य दि. 27 अक्टूबर, 88 को एक समझौता अवश्य हुआ जिसमें दैनिक वेतन मजदूरों को जैसे संदेशवाहक/फर्राश/कैश कुली/स्वीपर/बैंक गार्ड की पूर्णकालिक या अंशकालिक की रिक्तियों पर नियोजन देने का प्रस्ताव किया गया था। अतः इस समझौते के अनुरूप अस्थायी पूर्णकालिक व अंशकालिक जिन व्यक्तियों ने ऊपर वर्णितानुसार काम किया, उनके लिए कम से कम 12 कलेण्डर माह या उससे कम अवधि के किसी सतत ब्लॉक में 240 दिन से अधिक की सेवा या 36 कलेण्डर माह के किसी सतत ब्लॉक में कुल 270 दिन की या किसी कलेण्डर वर्ष में 30 दिन की कुल अस्थायी सेवा या 1-7-75 के बाद और 31-7-88 तक 36 कलेण्डर माह के किसी सतत ब्लॉक में कम से कम 70 दिन अस्थायी सेवा किसी मोड्यूल (क्षेत्रीय कार्यालय) जैसा कि 31-7-88 को वर्तमान था, परिभाषित किया जा चुका था, के अन्तर्गत किसी एक या अधिक शाखाओं/कार्यालयों में सेवा प्रदान की हो, उसके नियोजन हेतु अवसर दिये जाने के लिए अस्थायी कर्मचारियों के पात्र वर्ग में रखा गया था। इसके अलावा अन्य पात्रताएं और भी पूर्ण करनी थी जिनका भी उल्लेख नोटिस में किया गया था। प्रार्थी, बैंक सेवा में समायोजित करने हेतु पात्रता नहीं रखता था। वस्तुस्थिति यह है कि प्रार्थी, भारतीय स्टेट बैंक की शाखा चित्तोड़गढ़ में सभी कार्यरत कर्मचारियों की कमेटी जिसे लोकल एम्पलीमेंटेशन कमेटी (एलटीसी) कहते हैं, के द्वारा चाय, स्नेक्स आदि उपलब्ध कराने हेतु अनुबन्धित किया गया था एवं ऐसी कमेटी का बैंक से स्वतंत्र अस्तित्व था जिसमें बैंक का किसी प्रकार से हस्तक्षेप नहीं होता है तथा इस कमेटी द्वारा कर्मचारियों के लिए कैंटीन, स्पोर्ट्स, सांस्कृतिक क्रियाकलाप आदि की सुविधाएं उपलब्ध कराया जाना ही होता है तथा खर्चा भी कमेटी द्वारा ही वहन किया जाता है। प्रार्थी ने अस्थायी मैसेन्जर के रूप में बैंक में मात्र 33 दिन काम किया जो वर्ष 89 में 6 दिन, 90 में 17 दिन व 91 में 10 दिन। इस प्रकार उक्त समझौते के अनुरूप मई, 91 में निकाले गये नोटिस के अन्तर्गत प्रार्थी ने आवेदन-पत्र भिजवाया परन्तु पात्रता की श्रेणी में नहीं आने से उसे साक्षात्कार हेतु नहीं बुलाया गया। आवेदनकर्ता ने

समझौते के अन्तर्गत वर्णित अन्य पात्रताएं भी पूरी नहीं की है। बैंक द्वारा प्रार्थी के साथ कोई भेदभाव नहीं किया गया। प्रार्थी पात्रता नहीं रखने के कारण समायोजित होने योग्य नहीं था। केन्द्र सरकार द्वारा प्रेषित रेफ्रेन्स भी बिना विवेक के भेजा गया है जो विरोधाभासी है। प्रार्थी व अप्रार्थी के मध्य कोई स्वामी व सेवक का सम्बन्ध स्थापित नहीं है। प्रार्थी ने बैंक में जिस अवधि में काम किया उसका भुगतान बैंक द्वारा वाऊचर के द्वारा किया गया। केन्द्र सरकार ने भी प्रार्थी के मामले को छंटनी की श्रेणी में नहीं माना है तथा प्रार्थी को एक प्रमाण-पत्र बैंक में उपलब्ध रिकार्ड से परे जाकर जिस कर्मचारी द्वारा जारी किया गया उससे सम्बन्धित विभागीय जांच कर उसे दण्डित भी किया गया है। प्रार्थी इस झूठे प्रमाण-पत्र के आधार पर कोई राहत प्राप्त करने का अधिकारी नहीं है। अतः अप्रार्थी ने अपने जवाब के माध्यम से प्रार्थी का क्लेम स्टेटमेंट खारिज किये जाने की प्रार्थना की है।

5. उभयपक्ष के अभिवचनों के पश्चात् साक्ष्य प्रार्थी में श्रमिक डालचन्द ने अपना शपथ-पत्र पेश किया, अप्रार्थी द्वारा उससे जिरह की गयी। इसके पश्चात् अप्रार्थी की ओर से साक्ष्य में गवाह घनश्याम गर्ग, मदनलाल जैन, विष्णुदत्त पालीवाल व कोमल कुमार जैन के शपथ-पत्र पेश हुए, प्रार्थी की ओर से उनसे जिरह भी की गयी। एक और शपथ-पत्र खरायतीलाल का पेश हुआ, परन्तु उससे जिरह नहीं हुई, अतः कानूनन यह शपथ-पत्र साक्ष्य में पढ़ने योग्य नहीं है।

6. उभयपक्ष की साक्ष्य समाप्ति के पश्चात् बहस अन्तिम सुनी गयी।

7. प्रार्थी की ओर से बहस के दौरान दलील दी गयी कि प्रार्थी ने जो प्रमाण-पत्र प्रदर्श डब्ल्यू 1 व डब्ल्यू 2 पेश किये हैं वे सभी विश्वसनीय हैं, इनके जारी करने वाले गवाह एम. डब्ल्यू 1 ने भी इस पर अपने हस्ताक्षर होने का कथन किया है। प्रार्थी ने कहीं इन प्रमाण-पत्रों को कूटरचित नहीं बनाया है। प्रार्थी ने विहित समयाविधि में अपना प्रार्थना-पत्र भी पेश कर दिया था तथा अप्रार्थी के गवाह एम. डब्ल्यू 1 ने इस प्रमाण-पत्र को गलत रूप से जारी करने का कथन किया है तो यह उस गवाह के भाग पर उचित नहीं कहा जा सकता तथा इस गवाह ने गलत रूप से यह प्रमाण-पत्र जारी कर दिये जाने से उसे चार्जशीट मिलने का कथन किया तो उस चार्जशीट में चेतावनी मिलने का दण्ड मिलना भी बताया, परन्तु ऐसा कोई अभिलेख विभागीय कार्यवाही का अप्रार्थी की ओर से पेश नहीं किया गया। इसके अलावा अप्रार्थी ने ऐसा कोई रिकार्ड भी पेश नहीं किया जिससे प्रार्थी द्वारा 33 दिन उनके यहां काम किया जाना प्रकट हो रहा हो। अर्थात् इससे ज्यादा अवधि का काम किया परन्तु अप्रार्थी ने 33 दिन वाला रिकार्ड ही पेश नहीं किया। इससे भी यह उपधारणा आसानी से निकाली जा सकती है कि रिकार्ड पेश नहीं करने का क्या आधार था। अप्रार्थी द्वारा जो रिकार्ड पेश किया गया है वह विश्वसनीय नहीं है। अप्रार्थी के पास प्रार्थी से सम्बन्धित अनेक प्रकार का अभिलेख मौजूद था परन्तु ऐसा कोई अभिलेख प्रस्तुत नहीं किया गया। प्रार्थी को अप्रार्थी द्वारा सेवा में समायोजित किया जाना लाजिमी था परन्तु उसे नहीं किया गया एवं उसे नौकरी से हटा दिया गया एवं

धारा 25-एफ की पालना भी नहीं की गयी। अतः प्रार्थी ने बैंक की सेवा में समस्त पिछले बकाया लाभों सहित नियोजित किये जाने की वलील दी।

8. इसके विपरीत अप्रार्थी की ओर से बहस में दलील दी गयी कि सर्वप्रथम तो प्रार्थी, बैंक कर्मचारियों की लोकल एम्पलीमेंटेशन कमेटी के द्वारा अनुबन्धित किया गया था एवं वह कमेटी सम्बन्धित शाखा के कर्मचारियों द्वारा ही अपनी चाय, स्नेक्स, खेल-कूद, मनोरंजन या पुस्तकालय आदि कार्यों के लिए आवश्यकतानुसार किसी व्यक्ति को अनुबन्धित करती है। प्रार्थी भी उसी अनुरूप अनुबन्धित किया गया था, बैंक का ऐसी कमेटी पर कोई हस्तक्षेप नहीं होता है। प्रार्थी को बैंक द्वारा कभी कोई नियुक्ति-पत्र दिया गया हो, ऐसा भी कहीं कोई उल्लेख प्रार्थी ने नहीं किया है एवं ना ही ऐसा कोई नियुक्ति-पत्र पेश किया गया। जब बैंक द्वारा प्रार्थी को नियोजित ही नहीं किया गया तो फिर उसे हटाने का था उसे सेवा में समायोजित किये जाने का प्रश्न ही पैदा नहीं होता है। अतः ऐसे मामले में धारा 25-एफ की पालना का भी कोई प्रश्न नहीं रहता है। बैंक में जिस अवधि के लिए काम किया उसका बैंक द्वारा पारिश्रमिक का भुगतान कर दिया गया। वैसे तो बैंक के पास बहुत सारा अभिलेख स्टाफ से सम्बन्धित रहता है, परन्तु इस मामले में तो जो सुसंगत अविधि थी, उसी को पेश किया गया है, कहीं पर भी उसमें प्रार्थी का बैंक में नियुक्त होना प्रकट नहीं होता है। रेफ्रेंस जो हुआ है वह भी परस्पर विरोधाभासी है क्योंकि रेफ्रेंस के पूर्व में तो यह वर्णित है कि प्रार्थी को बैंक की सेवा में समझौते के अनुरूप प्रबन्धन द्वारा समायोजित नहीं किया जाना उचित था या नहीं व आगे उसकी सेवाएँ 1991 से समाप्त किये जाने का कृत्य उचित था या नहीं। अतः जो कर्मचारी बैंक की सेवा में ही नहीं था तो उसकी सेवाएँ कैसे समाप्त की जा सकती हैं। इस सम्बन्ध में उनकी ओर से “लक्ष्मण सिंह चौहान बनाम प्रबन्धक, भारतीय स्टेट बैंक शाखाब्यावर जिला अजमेर-एस.बी. सिविल रिट पिटि. नं. 3370/98 निर्णय दि. 25-4-01 (राज. उ. न्या.) के न्यायनिर्णय को उद्धृत किया गया। इस न्यायनिर्णय में प्रतिपादित किया गया कि प्रार्थी कर्मकार जो बैंक में केवलमात्र चाय-पानी कर्मचारियों को आपूर्ति करने का काम करता था व जिसका नाम बैंक की मस्ट्रोल में नहीं था, उसे किसी प्रकार का कोई अनुतोष प्राप्त करने का अधिकारी नहीं माना गया एवं श्रम न्यायालय के निर्णय के विरुद्ध की गयी अपील को खारिज कर दिया गया। एक और न्यायनिर्णय “स्टेट बैंक ऑफ इण्डिया बनाम स्टेट बैंक ऑफ इण्डिया केंन्टीन कर्मचारी यूनियन-ए.आई.आर. 2000 एस.सी. 1518” को उद्धृत किया गया जिसमें यह प्रतिपादित किया गया कि लोकल इम्पलीमेंटेशन कमेटी द्वारा केंन्टीन चलाये जाने हेतु कोई कर्मकार रखा गया है तो ऐसे कर्मकार को बैंक अपनी सेवा में समायोजित किये जाने हेतु बाध्य नहीं है एवं ऐसी कमेटी विधान के अन्तर्गत गठित हुई कमेटी नहीं है।

9. अतः उपरोक्त दोनों ही न्यायनिर्णयों को उद्धृत करते हुए प्रधान प्रार्थी को किसी प्रकार का कोई अनुतोष को प्राप्त करने का अधिकार नहीं मानते हुए क्लेम स्टेटमेंट खारिज किये जाने की प्रार्थना की है।

10. हमने उभयपक्ष द्वारा दी गयी इन दलीलों तथा उद्धृत किये गये न्यायनिर्णयों में प्रतिपादित सिद्धांतों पर मनन किया, पत्रावली पर आयी हुई साक्ष्य व सामग्री का भी परिशीलन किया।

11. अब जहां तक प्रार्थी द्वारा प्रस्तुत दस्तावेजात का सवाल है, दस्तावेज प्रदर्श डब्ल्यू 1 में वर्ष 1987 में 1998 दिन, वर्ष 1988 में 262 दिन, वर्ष 1989 में 363 दिन, वर्ष 90 में 350 दिन व वर्ष 1991 में 120 दिन 2 रु. दैनिक मजदूरी पर कार्य करना बताया। अब इसी सम्बन्ध में प्रार्थी की ओर से अन्य दस्तावेज प्रदर्श डब्ल्यू 2 में वर्ष 1987 में काम करने का कोई उल्लेख नहीं है एवं इस प्रमाण-पत्र के अनुसार 5-7-1988 से 6-7-1991 तक ही काम करना बताया है। इस प्रकार दोनों दस्तावेजात एक-दूसरे के पूरक नहीं होकर, विरोधाभासी हो जाते हैं क्योंकि जहां एक ओर डब्ल्यू 1 में वर्ष 87 में भी 98 दिन काम करना बताया गया है तो प्रमाण-पत्र प्रदर्श डब्ल्यू 2 में ऐसा कोई उल्लेख नहीं किया गया है। इसके अलावा प्रदर्श डब्ल्यू 1 वर्ष 88 में 262 दिन काम करना बताया गया है तो प्रमाण-पत्र प्रदर्श डब्ल्यू 2 में 5-7-1988 से काम करना बताया गया है जो पूरे वर्ष 88 के लिए करीबन 176 दिन के आसपास ही होते हैं जबकि प्रदर्श डब्ल्यू 1 में 262 दिन काम करना बताया गया है। अतः यह तथ्य भी अपने आप में एक-दूसरे के विरोधाभासी हो जाता है। अप्रार्थी की ओर से प्रार्थी द्वारा प्रस्तुत प्रार्थना-पत्र प्रदर्श एम. 1 पेश किया गया है। प्रार्थी ने उसमें वर्ष 1987 में 88 दिन काम करना बताया है जबकि स्वयं प्रार्थी द्वारा प्रस्तुत प्रमाण-पत्र प्रदर्श डब्ल्यू 2 में भी वर्ष 87 में काम किया जाना प्रकट नहीं होता। प्रदर्श डब्ल्यू 1 व डब्ल्यू 2 जारी करने वाले गवाह एम. डब्ल्यू 1 घनश्याम गर्ग ने भी कथन किया कि प्रमाण-पत्र प्रदर्श डब्ल्यू 1 मैंने जारी किया परन्तु प्रमाण-पत्र देने के समय मैंने बैंक के रिकार्ड से तेली नहीं किया था। मैंने लोकल एम्पलीमेंटेशन कमेटी के रिकार्ड के आधार पर प्रदर्श डब्ल्यू 1 जारी किया एवं बैंक का रिकार्ड नहीं देखा। जिरह में इस गवाह ने यह भी कथन किया कि मुझे डालचन्द तेली के मामले में चार्जशीट भी मिली थी एवं उसमें चेतावनी का दण्ड मिला था। इस गवाह ने मुख्य परीक्षण शपथ-पत्र में यह भी उल्लेख किया कि प्रदर्श डब्ल्यू 1 बैंक रिकार्ड के आधार पर आधारित प्रमाण-पत्र नहीं है।

12. यदि कोई बैंक का अधिकारी या कर्मचारी किसी रिकार्ड से परे जाकर प्रमाण-पत्र जारी कर देता है तो इसके लिए पूरा बैंक दायी नहीं हो जाता। स्वयं जारी करने वाले गवाह ने इस बात को स्वीकार किया है कि बिना बैंक के रिकार्ड देखे बगैर उसने यह प्रमाण-पत्र जारी कर दिया जिस कारण उसके विरुद्ध कार्यवाही भी हुई थी। प्रार्थी ने अपने जवाब में भी यह उल्लेख किया कि जिस तत्कालीन अधिकारी द्वारा यह प्रमाण-पत्र जारी किया गया उसके विरुद्ध जांच कर उसे दण्डित भी किया गया। अतः इससे भी स्पष्ट है कि तत्कालीन बैंक प्रबन्धक एम. डब्ल्यू 1 द्वारा बिना बैंक के रिकार्ड के आधार पर प्रमाण-पत्र जारी किया गया है, अतः ऐसे में बैंक को इस प्रमाण-पत्र के आधार पर दायी ठहराया जाना किसी भी रूप में उचित नहीं कहा जा सकता।

13. इसके अलावा गवाह एम. डब्ल्यू. 2 मदनलाल जोकि तत्समय उसी बैंक की शाखा में कार्यरत था, उसने कथन किया कि मैं कर्मचारियों की इम्पलीमेंटेशन कमेटी का सदस्य था एवं इस कमेटी का स्वतंत्र अस्तित्व होता है एवं बैंक का उसमें किसी प्रकार का हस्तक्षेप नहीं होता तथा स्टाफ वेलफेयर गतिविधियों के समस्त खर्च भी स्टाफ द्वारा ही वहन किये जाते हैं। प्रार्थी को वेतन भी इसी कमेटी द्वारा बैंक द्वारा दिया जाता था तथा प्रार्थी के कार्यों पर भी इसी कमेटी का निरीक्षण व नियंत्रण था। जिरह में कथन किया कि इस कमेटी के चुनाव भी होते हैं व बैंक मैनेजर इसका एक्सऑफिसियो चेयरमैन होता है। प्रार्थी को चाय-पानी, सफाई के काम के लिए रखा गया था और इसी का भुगतान किया गया था। यह गलत है कि बैंक ने डालचन्द को अस्थाई चपरासी के रूप में काम पर रखा। प्रबन्धक के एक अन्य गवाह विष्णुदत्त पालीवाल ने भी अपने शपथ-पत्र में यही उल्लेख किया कि प्रार्थी ने बैंक के किसी शाखा या मोड्यूल क्षेत्रीय कार्यालय में जितने दिन कर्मचारी समझौते के अनुसार अपेक्षित था उतने दिन काम नहीं किया तथा सर्टिफिकेट में भी 2 रु. प्रतिदिन वेतन अंकित होने के कारण प्रथमदृष्ट्या प्रमाण-पत्र सदिग्ध प्रतीत हुआ। इसमें जांच की गयी तो यह सर्टिफिकेट रिकार्ड के आधार पर सही नहीं था एवं झूठा था। प्रार्थी समझौते के अनुसार वर्णित सभी पात्रता पूरी नहीं करता था एवं यदि प्रार्थी की नियुक्ति अस्थायी चपरासी के पद पर अप्रार्थी द्वारा की गयी होती तो वह नियुक्ति की समस्त प्रक्रिया से गुजरता। जिरह में गवाह ने कथन किया कि प्रार्थी ने किसी प्रकार की पात्रता पूरी नहीं की इसलिए उसे साक्षात्कार के लिए नहीं बुलाया। इसके अलावा बैंक के अन्य गवाह कोमल कुमार जैन ने भी अपने शपथ-पत्र में यह कथन किया कि प्रार्थी ने मात्र 33 दिन कार्य किया था जिसका भुगतान उसे वाउचर के द्वारा किया गया। प्रार्थी, बैंक में कभी नियोजन में नहीं रहा था ना ही प्रार्थी को बैंक ने नियोजित किया।

14. इसके विपरीत प्रार्थी अपने शपथ-पत्र में कथन करता है कि उसे बैंक द्वारा दैनिक वेतन के आधार पर वर्ष 1987 में नियोजित किया गया था तथा प्रार्थी 6-7-91 तक लगातार अस्थायी रूप से चतुर्थ श्रेणी कर्मचारी के पद पर कार्यरत रहा। परन्तु जिरह में इसी प्रार्थी ने कथन किया कि मुझे बैंक ने कोई नियुक्ति-पत्र नहीं दिया, ना ही मुझे वेतन की स्लिप मिलती थी। मैं बैंक में सारा काम करता था, स्टाफ की चाय भी लाता था और भी काम करता था।

15. अतः उभयपक्ष की उपरोक्त साक्ष्य का विवेचन किया जावे तो स्वयं प्रार्थी, बैंक द्वारा उसको कोई नियुक्ति-पत्र जारी किये जाने का खण्डन कर रहा है एवं प्रार्थी जिस दस्तावेजात को आधार बना रहा है, उसमें प्रदर्श डब्ल्यू. 1 में भी उसकी दैनिक मजदूरी 2 रु. प्रतिदिन की है। अतः यदि कोई कर्मचारी पूर्णकालिक रूप से चपरासी के पद पर नियुक्त भी होता है तो 2 रु. प्रतिदिन न्यूनतम मजदूरी उस समय प्रचलित नहीं थी। अतः इसी से यह स्पष्ट होता है कि अस्थायी रूप से प्रार्थी को चपरासी के पद पर नियुक्त किया जाना कतई साबित नहीं होता है। बैंक के समस्त गवाहों ने जो कुछ कथन किया है, उसका सार यही है कि प्रार्थी को बैंक द्वारा नियुक्त नहीं किया जाकर, के बैंक कर्मचारी की लोकल इम्पलीमेंटेशन कमेटी

द्वारा अनुबन्धित किया गया था एवं उसका वेतन भी 2 रु. प्रतिदिन था एवं वेतन भी उसे कमेटी द्वारा ही दिया जाता था तथा प्रार्थी के कार्यों पर नियंत्रण, निरीक्षण आदि का जिम्मा भी उस कमेटी का ही था ना कि बैंक का, तथा प्रमाण-पत्र जो जारी किये गये वह सम्बन्धित गवाह द्वारा बैंक रिकार्ड के आधार पर नहीं किये गये हैं, इस बात को स्वयं जारी करने वाले गवाह ने स्वीकार कर लिया है एवं ऐसे गलत रूप से जारी करने के कारण उसे चेतावनी का दण्ड भी दिया गया है। अतः इन समस्त परिस्थितियों में ऐसे प्रमाण-पत्र जोकि बैंक रिकार्ड से मेल ही नहीं खाते हैं एवं प्रार्थी किसी भी रूप में बैंक द्वारा नियुक्त किया जाना भी प्रकट नहीं होता है तो फिर बैंक के कर्मचारियों की कमेटी द्वारा अनुबन्धित किये जाने से प्रार्थी को बैंक का कर्मकार नहीं माना जा सकता है।

16. मामले में प्रार्थी को वर्ष 1987 में किस तारीख को नियुक्त किया गया, ऐसा भी कोई खुलासा प्रार्थी ने अपने शपथ-पत्र में नहीं किया है। बैंक में बिना नियुक्ति आदेश के शायद जबानी नियुक्त करने की प्रक्रिया नहीं होगी। प्रार्थी ने लगातार बैंक में नियुक्त होने के बाद में 240 दिन किसी कलेण्डर वर्ष में कार्य किया है, यह साबित करने का भार भी प्रार्थी पर था जिसे भी वह साबित करने में विफल रहा है। यहां तक कि बैंक का कर्मकार होने का तथ्य भी वह साबित नहीं कर पाया। बैंक द्वारा जो प्रलेखीय साक्ष्य पेश की गयी है, उसमें भी उनके स्टाफ के उपस्थिति रजिस्टर में प्रार्थी बैंक में अस्थायी रूप से चतुर्थ श्रेणी कर्मचारी के पद पर नियुक्त हुआ हो, ऐसा भी कहीं प्रकट नहीं हुआ है। अतः ऐसी परिस्थितियों में जहां किसी तथ्य को प्रलेखीय साक्ष्य से साबित किया जा सकता है, वहां इस सम्बन्ध में केवल मौखिक साक्ष्य वह भी अस्पष्ट एवं सन्देहजनक रूप से प्रस्तुत की गयी है, उस पर विश्वास किया जाना सुरक्षित नहीं है। यदि प्रार्थी वास्तव में बैंक द्वारा नियुक्त होता तो शायद प्रार्थी को समायोजन करने की कार्यवाही अप्रार्थी द्वारा निश्चित रूप से की जाती क्योंकि अप्रार्थी की प्रार्थी से कोई दुश्मनी व रंजिश भी नहीं थी। स्वयं अप्रार्थी का गवाह घनश्याम गर्ग भी प्रार्थी के प्रति पूरी सहानुभूति रखता था एवं वह भी यदि प्रार्थी अन्य मापदण्डों को पूरा करता तो शायद प्रार्थी को समायोजित किये जाने में पूरी मदद करता। हालांकि उसने अपने स्तर पर भी प्रमाण-पत्र प्रदर्श डब्ल्यू. 1 व डब्ल्यू. 2 जारी कर कुछ सीमा तक मदद किये जाने का प्रयास किया है। हालांकि यह तथ्य अलग है कि ये प्रमाण-पत्र उस बैंक के अभिलेख से मेल खाते हुए नहीं पाये गये, अतः इसकी कारण से उक्त गवाह के विरुद्ध भी अनुशासनात्मक कार्यवाही की गयी।

17. चाहे कुछ भी स्थिति रही हो, परन्तु जहां तक प्रार्थी के अप्रार्थी के नियोजन में रहने का सवाल है, प्रार्थी कभी अप्रार्थी का कर्मकार होना प्रकट नहीं होता है, अतः उसके सेवा में समायोजित किये जाने का भी कोई प्रश्न पैदा नहीं होता है। अतः जब प्रार्थी बैंक का कर्मकार ही साबित नहीं हुआ तो फिर उसे हटाने का सवाल ही पैदा नहीं होता है एवं ऐसी परिस्थितियों में धारा 25-एफ के प्रावधान की पालना की अपेक्षा भी नहीं की जा सकती एवं सार रूप में इतना ही कहना पर्याप्त है कि प्रार्थी जिन प्रमाण-पत्र प्रदर्श डब्ल्यू. 1 व डब्ल्यू. 2 को आधार बनाकर लाया है, वे प्रमाण-पत्र ही जब बैंक के

रिकार्ड से मेल नहीं खाते तो फिर अन्य ऐसा कोई आधार नहीं जिससे प्रार्थी, अप्रार्थी के यहां सेवा में समायोजित होने का अधिकारी हो एवं इन परिस्थितियों में प्रार्थी की सेवामुक्ति भी बैंक द्वारा उचित रूप से की गयी या नहीं, यह तथ्य भी विचारणीय नहीं रहता है। अप्रार्थी की ओर से जो न्यायनिर्णय लक्ष्मण सिंह चौहान बनाम प्रबन्धक, भारतीय स्टेट बैंक, शाखा ब्यावर, जिला अजमेर व स्टेट बैंक ऑफ इण्डिया बनाम स्टेट बैंक ऑफ इण्डिया केन्टीन कर्मचारी यूनियन उद्धृत किये गये हैं, उन दोनों निर्णयों में भी यही सिद्धांत प्रतिपादित किया गया है एवं इन न्यायनिर्णयों में प्रतिपादित सिद्धांत इस प्रकरण पर भी पूर्ण रूप से लागू होते हैं। अतः सार रूप में इतना ही कहना पर्याप्त है कि हस्तगत निर्देश में प्रार्थी कोई अनुतोष प्राप्त करने का अधिकारी नहीं पाया जाता है।

परिणामस्वरूप भारत सरकार, श्रम मंत्रालय, नई दिल्ली द्वारा सम्प्रेषित निर्देश (रेफ्रेन्स) आदेश सं. एल-12012/140/97-आई आर (बीआई) दि. 17-2-98 को अधिनिर्णित कर इसी अनुरूप उत्तरित किया जाता है कि प्रार्थी डालचन्द तेली का अप्रार्थी बैंक प्रबन्धक स्टेट बैंक ऑफ इण्डिया, शाखा चित्तोड़गढ़ में कर्मकार की हैसियत से नियुक्त होना साबित नहीं है, अतः इसी कारण से वह अप्रार्थी के यहां सेवा में समायोजित होने का अधिकारी होना भी नहीं पाया जाता है एवं ना ही बैंक द्वारा उसकी सेवामुक्ति की गयी है तथा सेवामुक्ति से पहले धारा 25-एफ अधिनियम की पालना की अपेक्षा भी इस मामले में नहीं रहती है एवं प्रार्थी कोई अनुतोष प्राप्त करने का अधिकारी नहीं है।

प्रकाश चन्द्र पगारीया, न्यायाधीश

नई दिल्ली, 11 अप्रैल, 2012

का. आ. 1573.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम मध्य रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या 56/04) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-4-2012 को प्राप्त हुआ था।

[सं. एल-41012/13/2004-आई आर (बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 11th April, 2012

S.O. 1573.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 56/04) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur now as shown in the Annexure in the Industrial Dispute between the management of Pashchim Madhya Railway, and their workman, which was received by the Central Government on 11-4-2012.

[No. L-41012/13/2004-IR (B-D)]  
RAMESH SINGH, Desk Officer

## ANNEXURE

### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

No. CGIT/LC/R/56/04

#### PRESENT :

Shri Mohd. Shakir Hasan, Presiding Officer.

Shri Rajesh Kumar Dongre,  
S/o Shri P. Dongre, R/o Belkhdra Rly. Station.  
Post Ghat Pindrai,  
Distt. Narsingpur (M.P.)

... Workman

Versus

The Divisional Railway Manager,  
Pashchim Madhya Railway,  
Jabalpur (M.P.)

... Management

#### AWARD

Passed on this 9th day of March, 2012

1. The Government of India, Ministry of Labour vide its Notification No. L-41012/13/2004-IR (B-I) dated 7-6-2004 has referred the following dispute for adjudication by this Tribunal :

“Whether the action of the management of Divisional Railway Manager, West Central Railway, Jabalpur in terminating the services of Shri Rajesh Kumar Dongre S/o Shri Prasad Dongre, Ex. MICI w.e.f. 27-6-1991 after taking his regular service w.e.f. 18-5-1985 and without regularization is justified? If not, what relief is entitled to?”

2. The case of the workman, in short, is that he was engaged as casual labour Paniwala under Station Superintendent at Jabalpur from 18-5-1985 to 26-6-1991 in broken period and had completed 347 days. He got temporary status under DA Rules of Railway. His services were terminated arbitrarily without following DA Rules of Railway on 27-6-91. His case was identical to the cases of 240 co-workers who were re-appointed in the year 2003 but he was not selected inspite of several representations. It is submitted that the workman be reinstated with back wages.

3. The management appeared and filed Written Statement in the reference case. The case of the management, inter alia, is that the service condition of person engaged by the Railway Administration as casual labour are governed by Railway Manual Chapter 20. His engagement was on casual basis. He had never worked for 120 days in any calendar year without a break nor he

attained the temporary status. The DAR rules are not applicable to the casual labour. It is stated that the management as one time settlement decided to offer opportunity for all ex-casual labourers to appoint on regular basis and the decision was published in Dainik Bhaskar in the month of March, 2003 and invited applications from Ex-casual labourers. List of applications received from Ex-casual labourers were prepared and published in the newspaper. The workman did not tender any application. The workman is, therefore, not entitled to any such relief. It is stated that the workman has raised this dispute after the lapse of 13 years. It is submitted that the reference be answered in favour of the management.

4. On the basis of the pleadings of the parties, the following issues are settled for adjudication :—

I. Whether the action of the management in terminating the services of Shri Rajesh Kumar Dongre w.e.f. 27-6-91 instead of regularizing him is legal and justified ?

II. To what relief the workman is entitled ?

#### 5. Issue No. I :

The workman Shri Rajesh Kumar Dongre has adduced his evidence. He has stated that he was engaged as casual labour Paniwala from 18-5-85 to 26-6-91 in broken period for more than 240 days. His engagement was only in summer period from April to 30th June for serving water every year. He has admitted that he had not worked 240 days in a calendar year. This shows that the provision of Section 25F of the Industrial Disputes Act, 1947 (in short 'the Act', 1947) was not violated. He appears to be a seasonal worker who was engaged only in summer intermittently. The workman has also filed photocopies of statements which are Paper Nos. 3/5 and 3/6. He has proved in his evidence that these papers were taken from the station masters who had signed the said statements. These statements clearly show that he had not worked 120 days in any year. The learned counsel for the management urged that he was not eligible to be granted temporary status under Railway Manual. His evidence clearly shows that the management had not violated any provision of the Act, 1947 nor he was entitled to be granted temporary status as admittedly he had not worked 120 days in any calendar year.

6. The management has examined one witness namely Shri R. K. Diwan. He was working as O.S. Superintendent (P), West Central Railway, Jabalpur. He has supported the case of the management. He has stated that he was engaged on casual basis subject to availability of work. He had not worked 120 days without a break in any of the calendar year. So he did not attain temporary status. The

management has also filed statement of his work which are R-1 and R-2. The said statements also corroborate that he had never worked 120 days in any calendar year. He has stated that the service condition of person engaged as casual labour by the Railway Administration are governed by Railway Manual Chapter 20. Relevant clause of Chapter 20 of Railway Manual is reproduced below as given in the Written Statement :

#### "Definition of Casual Labour—

Casual Labour refers to labour whose employment is intermittent, sporadic or extends over short periods or continued from one work to another. Labour of this kind is normally recruited from the nearest available source. They are not ordinarily liable to transfer. The conditions applicable to permanent and temporary staff do not apply to casual labour."

"Such of those casual labours engaged on open line (revenue) works, who continue to do the same work for which they were engaged or other work of the same type for more than 120 days without a break will be treated as temporary (i.e. given "temporary status") on completion of 120 days of continuous employment."

This provision clearly shows that the workman was not eligible to grant temporary status as he had not worked 120 days without a break.

7. The management witness has further stated that as one time settlement, the ex-casual labourers were offered for being selected to regular basis and application was invited but he did not submit any application to avail the said opportunity. Thereafter he was not entitled to be selected for regular appointment nor he is entitled to be granted temporary status. It is clear that the action of the management is legal and justified. This issue is decided against the workman and in favour of the management.

#### 8. Issue No. II :

On the basis of the discussion made above, it is clear that the action of the management is justified and the workman is not entitled to any relief. The reference is accordingly answered.

9. In the result, the award is passed without any order to costs.

10. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 11 अप्रैल, 2012

**का.आ. 1574.**—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय नं. 1, धनबाद के पंचाट (संदर्भ संख्या 31/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-04-2012 को प्राप्त हुआ था।

[सं. एल-20012/51/2008-आई आर (सीएम-1)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 11th April, 2012

**S.O. 1574.**—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 31/2008) of the Central Government Industrial Tribunal-cum-Labour Court-1, Dhanbad, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. BCCL, and their workman, which was received by the Central Government on 11-04-2012.

[No. L-20012/51/2008-IR (CM-1)]

D. S. S. SRINIVASA RAO, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. 1, DHANBAD

In the matter of a reference U/s. 10(1)(d)(2A) of the  
Industrial Disputes Act, 1947

Reference No. 31 of 2008

#### PARTIES :

Employers in relation to the management of  
Lodna Colliery of M/s. B.C.C. Ltd.

AND

Their workman.

#### PRESENT :

SHRI H.M. SINGH, Presiding Officer.

#### APPEARANCE :

For the Employers : Shri S. N. Ghosh, Advocate.

For the Workman : Shri R.R. Ram, Jt. General  
Secretary, Bahujan Mazdoor  
Union.

STATE : Jharkhand.

INDUSTRY : Coal

Dated : 30-03-2012

#### AWARD

By Order No. L-20012/51/2008-IR (CM-1) dated  
5-6-2008 the Central Government in the Ministry of Labour

has. in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal with following schedule :

“(1) Whether the action of the management of Lodna Colliery of M/s. BCCL in dismissing Sh. Jamuna Saw. M/Loader from the services of the company w.e.f. 26-09-2003 is legal and justified?”

(ii) To what relief is the concerned workman entitled?”

2. The case of the concerned workman is that he was a permanent workman of Lodna Colliery of BCCL. He never neglected his duty. He performed his duty sincerely, punctually and regularly. He was served with a chargesheet on 22-2-2003 alleging unauthorised absence from his duty since 10-1-2003. He replied to the chargesheet satisfactorily. He was suffering from headache and so he was worried for his disease. The concerned workman left his home without informing his family members and he had gone to anywhere for peace. His wife lodged an informatory petition with Jharia P.S. on 2-8-2003 regarding traceless of her husband. She also informed the management on 11-8-2003. In the meantime management set up an enquiry and ex-parte enquiry was conducted without giving him proper opportunity to defend his case. The concerned workman returned his home after one year and represented before the management to allow him to report for his duty, but the management did not allow him to resume his duty, rather he was dismissed by the management w.e.f. 26-9-2003 without assigning any reason. The action of the management in dismissing the concerned workman is illegal and unjustified.

It has been prayed that the Hon'ble Tribunal be pleased to pass an award in favour of the concerned workman with a direction to the management to reinstate him in service with full back wages.

3. The case of management is that the concerned workman was working as M/Loader at Lodna Colliery and from the very early days of his service, he maintained the status of “habitual absentee” and for this he was given strong warning in the year 2000 as his attendance was only 27 days and thereafter his attendance was nil in the year 2001 wherein also he was given strong warning and thereafter in the year 2002 his attendance was only 132 days for which two SPRA was stopped by way of punishment and thereafter again in the year 2003 he absented from 10-1-03 till his dismissal from service w.e.f. 25-9-03. Due to his habitual absenteeism the company has time to time undergone heavy loss in production. Before his dismissal he was given last opportunity to defend himself. But he intentionally avoided to appear in the enquiry proceeding. This shows that he is not willing



to perform his duty reason best known to him. He was served with charge-sheet dated 22-2-2003 which was replied by him but found unsatisfactory. When the concerned workman did not appear in the enquiry in spite of several notices, then the Enquiry Officer conducted ex-parte with a view to complete the enquiry without further delay. At the time of enquiry the management representative proved the stand of the management by producing various documents which showed that he is a habitual absentee and for this earlier also various warning letters were issued to him but he did not care and always neglected his duty without showing any rhyme and reason. After considering all these aspects the Enquiry Officer found that the allegation levelled against the concerned workman is proved beyond doubt. On the basis of enquiry report, the management dismissed the concerned workman from the service w.e.f. 26-9-2003.

It has been prayed that the Hon'ble Tribunal be pleased to pass an award holding that the action taken by the management in dismissing the concerned workman from the service of the company is fair, proper and justified as well as workman concerned is not entitled for any relief.

4. Both the parties have filed their respective rejoinders admitting and denying the contents of some of the paragraphs of each other's written statement.

5. The domestic enquiry was found to be fair and proper on 17-11-2011.

6. The concerned workman has filed documents which have been marked as Exts. W-1 and W-2.

The management filed documents which have been marked as Exts. M-1 to M-9.

7. No oral evidence has been adduced by either party.

8. Main argument advanced on behalf of the concerned workman is that he was not given opportunity before dismissal from service to defend his case.

9. In this respect the management argued that the concerned workman is habitual absentee and he was absent for number of times. He was given strong warning in the year 2000 when his attendance was 27 days and he was not present in the year 2001 when he was given strong warning and in the year 2002 his attendance was on 132 days for which two SPRA was stopped by way of punishment and thereafter again in the year 2003 he absented from 10-1-03 till his dismissal from service w.e.f. 25-9-05.

Considering all the above facts that he was given strong warning in the year 2000 and his attendance was only 27 days and thereafter was nil in the year 2001 and in the year 2002 his attendance was 132 days as per

Ext. M-2. Moreover, the concerned workman's wife gave application to the management about traceless of her husband.

It shows that the concerned workman was not interested to work with the management.

10. In the result, I hold that the action of the management of Lodna Colliery of M/s. BCCL in dismissing Sh. Jamuna Saw, M/Loader from the services of the company w.e.f. 26-9-2003 is legal and justified. So, the concerned workman is not entitled to any relief.

This is my Award.

H.M. SINGH, Presiding Officer

नई दिल्ली, 11 अप्रैल, 2012

का.आ. 1575.—औद्योगिक विवाद अधिनियम, 1947 (1947

धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय नं. 2, धनबाद के पंचाट (संदर्भ संख्या 27/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-04-2012 को प्राप्त हुआ था।

[सं. एल-20012/20/2007-आई आर (सीएम-1)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 11th April, 2012

S.O. 1575.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 27/2007) of the Central Government Industrial Tribunal-cum-Labour Court-2, Dhanbad, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. ECL, and their workman, which was received by the Central Government on 11-4-2012.

[No. L-20012/20/2007-IR (CM-I)]

D. S. S. SRINIVASA RAO, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. 2, DHANBAD

#### PRESENT:

SHRI KISHORI RAM, Presiding Officer.

In the matter of an industrial dispute under Section 10(1)(d) of the I.D. Act, 1947

Reference No. 27 of 2007

#### PARTIES :

Employers in relation to the management of Hariyjam Colliery of M/s. ECL, Mugma Area, Dhanbad and their workman.

**APPEARANCES:**

On behalf of the workman : Mr. U.P. Sinha, Representative of the Union/Workman

On behalf of the employer : Mr. D.K. Verma,  
Ld. Advocate

STATE : Jharkhand. INDUSTRY : Coal

Dhanbad, the 29th March, 2012

**AWARD**

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/20/07-IR (CM-I) dated 3-5-2007 :

**SCHEDULE**

“Whether the action of the Management of Hariajam Colliery of M/s. ECL in recording the date of birth of Shri Ghanshyam Singh, Assistant Cap Lamp Incharge as 18-12-1948 is justified and legal? If not, to what relief is the concerned workman entitled.”

2. None represented the Union/the workman Ghanshyam Singh nor written statement filed on behalf of the workman. Mr. D.K. Verma, the Ld. Advocate for the Management is present.

Pursued the case record. It stands evident that the case has been pending for filing written statement of the workman right from its inception, for which Regd. Notices Show Cause Notices dt. 6-4-2011, 21-10-2011 and 8-12-2011 were issued to the Secretary of the Union concerned on the address of the Union as noted in the Reference. On the last date, i.e. 3-2-2012. Mr. U.P. Sinha, the Secretary of the Union concerned by filing a petition had submitted for passing no dispute award on the ground that the workman had himself filed a petition for withdrawal of case, by disassociating from the Union so it was not possible for filing written statement on behalf of the workman.

The present reference under the Schedule relates to the date of birth of workman Ghanshyam Singh, Asstt. Cap. Lamp Incharge as 18-12-1948. Under these circumstances I find no longer any Industrial Dispute exists, accordingly an order is passed.

KISHORI RAM, Presiding Officer

नई दिल्ली, 11 अप्रैल, 2012

का.आ. 1576.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी.एल. व प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय नं. 2, धनबाद के पंचाट (संदर्भ संख्या

14/2011) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-04-2012 को प्राप्त हुआ था।

[सं. एल-20012/47/2010-आई आर (सीएम-1)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 11th April, 2012

S.O. 1576.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 14/2011) of the Central Government Industrial Tribunal-cum-Labour Court-2, Dhanbad, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. BCCL, and their workman, which was received by the Central Government on 11-4-2012.

[No. L-20012/47/2010-IR (CM-I)]

D. S. S. SRINIVASA RAO, Desk Officer

**ANNEXURE**

**BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL No. 2, DHANBAD**

**PRESENT:**

SHRI KISHORI RAM, Presiding Officer.

In the matter of an industrial dispute under Section 10(1)(d) of the I.D. Act., 1947

Reference No. 14 of 2011

**PARTIES :**

Employers in relation to the management of Bararee Colliery of M/s. BCCL and their workman.

**APPEARANCES :**

On behalf of the workman : None

On behalf of the employer : Mr. D.K. Verma,  
Ld. Advocate

STATE : Jharkhand INDUSTRY : Coal

Dhanbad, the 21st March, 2012

**AWARD**

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/47/2010-IR (CM-I) dated 31-3-2011 :

**SCHEDULE**

“Whether the action of the management of Bararee Colliery of M/s. BCCL in dismissing Sri Bharat Rai, M/Loader from the services of the Company vide order dated 6-4-2005 is justified and fair? To what relief the concerned workman is entitled to?”

2. Neither any representation nor any appearance on behalf of the Sponsoring Union/Workman was made even after issuance of two Regd. Notices dt. 1-6-2011 and 24-10-2011 and one Show Cause Notice dt. 3-1-2012, that too went undelivered on the address referred in the Order of Reference. The case stands all along for filing written Statement on behalf of the Sponsoring Union/Workman since 9-8-2011. Mr. D.K. Verma, the Ld. Advocate for the Management is present.

On being pursued the record, it is apparent clear that the case stands for filing Written Statement on behalf of the Sponsoring Union/workman, against which two notices and one Show Cause Notice on their address noted in the Order of Reference were served upon. The gesture and reluctance on the part of the Sponsoring Union/Workman do not show signs of holding it on to proceed with it. And the Tribunal is fully convinced not to hold the case any further for their disinterestedness in pursuing the case. Under such circumstances, the case is closed and accordingly an order of no dispute may be passed.

KISHORI RAM, Presiding Officer

नई दिल्ली, 11 अप्रैल, 2012

का.आ. 1577.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय नं. 2, धनबाद के पंचाट (संदर्भ संख्या 10/2011) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-04-2012 को प्राप्त हुआ था।

[ सं. एल-20012/40/2010-आई आर (सीएम-1) ]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 11th April, 2012

S.O. 1577.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 10/2011) of the Central Government Industrial Tribunal-cum-Labour Court-2, Dhanbad, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. BCCL, and their workman, which was received by the Central Government on 11-4-2012.

[No. L-20012/40/2010-IR (CM-I)]

D. S. S. SRINIVASA RAO, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. 2, DHANBAD

#### PRESENT:

SHRI KISHORI RAM, Presiding Officer.

In the matter of an industrial dispute under Section 10(1)(d) of the I.D. Act., 1947

#### Reference No. 10 of 2011

#### PARTIES :

Employers in relation to the management of  
Block II, Area of M/s. BCCL and their workman.

#### APPEARANCES :

On behalf of the workman : None

On behalf of the employer : Mr. D.K. Verma,  
Ld. Advocate

STATE : Jharkhand.

INDUSTRY : Coal

Dhanbad, the 21st March, 2012

#### AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/40/2010-IR (CM-I) dated 14-3-2011 :

#### SCHEDULE

"Whether the action of the management of Block II Area of M/s. BCCL in fixing the basic pay of Sri Mukteshwar Pd. Singh less than Sri T.H. Khan, Junior to the concerned workman is fair and justified ? To what relief the concerned workman is entitled to ?"

2. None representation on behalf of the Sponsoring Union/Workman whereas Mr. D.K. Verma, the Ld. Advocate for the Management side is present. The case stands on filing of written statement by the Sponsoring Union/Workman since 6-6-2011 against which three Regd. Letters Dt. 13-4-2011, 12-9-2011 and 31-10-2011 respectively and one Regd. Show Cause Notice dt. 6-2-2012 were posted to the address of the Sponsoring Union/Workman.

Perusal of the case records reveals itself that the case has been pending for filing Written Statement on behalf of the Sponsoring union/workman since its inception against which three successive Regd. Letters and One Show Cause Letter were served upon, thereby giving ample opportunity to defend the case.

This shows their unwillingness at all to proceed further with the case. Under these circumstances, the Tribunal do not find any logic to retain it further, and accordingly the case is closed and an order of no dispute is passed.

KISHORI RAM, Presiding Officer

नई दिल्ली, 11 अप्रैल, 2012

क्र.आ. 1578.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय नं. 2, धनबाद के पंचाट (संदर्भ संख्या 11/2011) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-04-2012 को प्राप्त हुआ था।

[सं. एल-20012/43/2010-आई आर (सीएम-1)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 11th April, 2012

S.O. 1578.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 11/2011) of the Central Government Industrial Tribunal-cum-Labour Court-2, Dhanbad, now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of M/s. BCCL, and their workmen, which was received by the Central Government on 11-4-2012.

[No. L-20012/43/2010-IR (CM-I)]

D. S. S. SRINIVASA RAO, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. 2, DHANBAD

#### PRESENT :

SHRI KISHORI RAM, Presiding Officer.

In the matter of an Industrial Dispute under Section  
10(1)(d) of the I.D. Act, 1947

Reference No. 11 of 2011

#### PARTIES :

Employers in relation to the management of  
W.J. Area, Moonidih of M/s. BCCL and their  
Workman

#### APPEARANCES :

On behalf of the Workman : Mr. N.G. Arun.  
Rep. of workman

On behalf of the Employer : Mr. D.K. Verma.  
Ld. Advocate

STATE : Jharkhand. INDUSTRY : Coal

Dhanbad, dated the 21st March, 2012

#### AWARD

The Government of India, Ministry of Labour, in  
exercise of the powers conferred on them under Section

10(1)(d) of the I.D. Act, 1947 has referred the following  
dispute to this Tribunal for adjudication vide their Order  
No. L-20012/43/2010-IR (CM-I) dated 14-3-2011 :

#### SCHEDULE

“Whether the action of the management of W.J. Area Moonidih of M/s. BCCL in retiring Sri Manjura Bouri prematurely, before attaining the actual age of superannuation is fair and justified? To what relief the concerned workman is entitled to?”

2. None representation on behalf of the Sponsoring Union/Workman nor did file the written statement since 6-6-2011 despite issuance of three Regd. Notices dt. 13-6-2011, 31-10-2011 and 06-02-2012 contained in the Order of Reference. Contrary to it, the Management side is represented by Shri D.K. Verma who is present.

While going through the case record, it manifests itself the status of the case for filing the written statement by the Sponsoring Union/Workman since the very beginning of the case, i.e., 6-6-2011 against which the Sponsoring Union failed to turn up nor did respond to it. This drops sufficient reasons to believe to wind up the case, based on superfluous ground, which would only consume precious time & energy of the Tribunal. Under such circumstances, the case is closed and an order of no dispute regarding the issue of assessment of age is passed.

KISHORI RAM, Presiding Officer

नई दिल्ली, 11 अप्रैल, 2012

क्र.आ. 1579.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय नं. 2, धनबाद के पंचाट (संदर्भ संख्या 74/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-04-2012 को प्राप्त हुआ था।

[सं. एल-20012/170/2002-आई आर (सी-1)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 11th April, 2012

S.O. 1579.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 74/2002) of the Central Government Industrial Tribunal-cum-Labour Court-2, Dhanbad, now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of M/s. BCCL, and their workman, which was received by the Central Government on 11-4-2012.

[No. L-20012/170/2002-IR (C-I)]

D. S. S. SRINIVASA RAO, Desk Officer

**ANNEXURE****BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL No. 2, DHANBAD****PRESENT:**

SHRI KISHORI RAM, Presiding Officer

In the matter of an Industrial Dispute under Section  
10(1)(d) of the I.D. Act. 1947**Reference No. 74 of 2002****PARTIES :**Employers in relation to the management of  
Kusunda Area of M/s. BCCL and their  
workman.**APPEARANCES :**On behalf of the workman : Mr. S.N. Ghosh,  
Ld. AdvocateOn behalf of the employer : Mr. U.N. Lal,  
Ld. Advocate

STATE : Jharkhand. INDUSTRY : Coal

Dhanbad, dated the 29th March, 2012

**AWARD**

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act. 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/170/2002-IR (C-I) dated 7-10-2002 :

**SCHEDULE**

"Whether the action of the management of Kusunda Area of M/s. BCCL in not regularising of Sri K.B. Pandey as Sr. Medicine Store Keeper/Sr. Medicine Store Incharge is fair and justified? If not, to what relief is the concerned workman entitled and from what date?"

2. Mr. S.N. Ghosh, the Ld. Advocate for the Union/workman and Mr. K.B. Pandey and Mr. U.N. Lal, the Ld. Advocates for the Management are present but no witness for the evidence of the workman had been produced. Mr. S.N. Ghosh, the Ld. Advocate for the Union/workman by filing a petition duly signed by the workman-K.B. Pandey has to submit that the workman has superannuated so he is not interested to proceed with the case and he wants to withdraw the case.

From the perusal of the case record, it is quite clear that the case has been pending for the evidence of the workman since 30-11-2004. Now the workman/union does not want proceed with the case on account of his disinterestedness caused by his superannuation. The present Reference refers to the Schedule about non-

regularisation of the workman as Sr. Medicine Store Keeper/Incharge. In view of the disinclination of the Union/Workman to contest the case, it is found no longer any Industrial Dispute as raised by the Union concerned exists. Therefore, the case is closed and accordingly an order is passed.

KISHORI RAM, Presiding Officer

नई दिल्ली, 11 अप्रैल, 2012

का.आ. 1580.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एफ. सी. आई. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, अर्नाकुलम के पंचाट (आई डी संख्या 35/2009) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-4-2012 को प्राप्त हुआ था।

[ सं. एल-22011/33/2009-आई आर (सी एम-11) ]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 11th April, 2012

S.O. 1580.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 35/2009) of the Cent. Govt. Indus. Tribunal-cum-Labour Court, Ernakulam as shown in the Annexure, in the industrial dispute between the management of Food Corporation of India, and their workmen, which was received by the Central Government on 11-4-2012.

[No. L-22011/33/2009-IR (CM-11)]

D. S. S. SRINIVASA RAO, Desk Officer

**ANNEXURE****BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,  
ERNAKULAM****PRESENT:**

Shri D. Sreevallabhan B.Sc., LL.B., Presiding Officer

(Thursday the 29th day of March, 2012)

**I.D. 35/2009****Unions :**

1. Shri. P. K. Sasi.  
Organising Secretary,  
FCI Workers Union, Chingavanam,  
Channanikadu P.O.,  
Kottayam District, Kerala.
2. Shri. K. T. Sasi.  
Convenor,  
FCI Workers Association (CITU),  
Chingavanam, Channanikadu P.O.,  
Kottayam District, Kerala.

By Adv. Shri Santhosh G. Prabhu

**Management :**

1. The General Manager,  
Food Corporation of India,  
Regional Office,  
Kesavadasapuram,  
Thiruvananthapuram, Kerala
2. The Area Manager,  
Food Corporation of India,  
District Office,  
Chingavanam, Kottayam, Kerala

By Adv. Shri. M. R. Anison

This case coming up for final hearing on 23-3-2012 and this Tribunal-cum-Labour Court on 29-3-2012 passed the following :

**AWARD**

In exercise of the powers conferred by Clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 the Central Government/Ministry of Labour referred this industrial dispute for adjudication to this Tribunal by Order No. L-22011/33/2009-IR(CM-II) dated 30-9-2009.

2. The dispute is :

“Whether the action of the management of FCI in making recovery from the wages of 48 DPS workers on account of demurrage charges levied by the Railways on the management of FCI is legal and justified ? To what relief are the workmen entitled ?”

3. The industrial dispute was raised by two unions of the DPS workers working in the depot at Chingavanam of the management. Management is the Food Corporation of India, a Central Government undertaking incorporated under the Food Corporation Act, 1964.

4. Management is completely depending on the DPS workers for handling food grains in its godowns and railway heads. Direct Payment System (DPS) was implemented in the depot of the management at Chingavanam w.e.f. 1-1-1997 pursuant to the Circular No. IR(L)/8(22)/94 dated 14-6-1996. Their normal working hours is from 10 a.m. to 5.30 p.m. But they have to attend the work beyond the normal working hours and on the weekly off days with overtime wages since the wagons placed for unloading are to be unloaded within the free time allowed by the railway.

5. On 28-8-2007 railway placed 30 wagons at the FCI siding, Chingavanam, Kottayam. Prior intimation was given to the DPS workers about the placement of the wagons and they were directed to attend the unloading work on 28-8-2007 as per memo dated 25-8-2007. Out of the 123 DPS workers, 61 were only present on that day to unload the articles from the 30 wagons. Out of the 30

wagons, 20 wagons were cleared by them on that day and the remaining 10 wagons left unopened. Those were cleared only on the next day. As it was not cleared within the free time allowed by the railway an amount of Rs. 40,500 was to be paid by the FCI as Demurrage Charges (DC).

6. Management decided to recover the DC from the 48 DPS workers who had absented themselves from attending the duty. Challenge is made with regard to it by the unions by raising this industrial dispute.

7. After appearance the two unions jointly filed claim statement challenging the action of the management as arbitrary, illegal, unjust and violative of the provisions of the Industrial Disputes Act and Rules as well as the Model Standing orders under the Industrial Employment (Standing orders) Act. The allegations made in support of it, in brief, are that none of the clauses in the circular dated 14-6-1996 provides for the recovery of DC from the wages of the workmen and the action of the management to recover the DC is for the victimization of the workmen. Management issued memo dated 31-8-2007 calling upon their explanation for not unloading the 10 wagons on 28-8-2007 and about the recovery of the amount of Rs. 40,500 incurred as DC from them. The DPS workers submitted their explanations but the management had taken a unilateral decision without hearing them to realize the amount equally @ Rs. 843.75 from the 48 absentee workmen. On 28-8-2007, 61 workers were present for duty. The remaining 62 workmen had submitted their leave applications. Six of them applied for leave in advance, two were under treatment due to accident while on duty, twelve were on long leave due to ill-health and the remaining 42 were also on leave due to ill-health. It was humanly impossible to unload all the 30 wagons on 28-8-2007 itself by the workmen who were present on duty on that day. The management is not entitled to recover the DC from the workmen and hence the action of the management to effect recovery from the wages is not legal and justifiable.

8. The contentions put forward by the management in the written statement are that the Food Corporation of India is bound to load or unload the goods from the wagons placed by the railways within nine hours of its placement irrespective of the time and day. The free time allowed by the railway is five hours for 1 to 20 wagons, seven hours for 21 to 30 wagons and nine hours for more than 31 wagons. Food grains are booked rake wise by the railway and each rake contains 40 to 43 wagons. The FCI, Chingavanam siding does not have the capacity to contain one full rake. Hence 30 to 32 wagons are used to be placed there for unloading. There are sufficient number of DPS workers to unload those wagons. But some of the DPS workers wilfully do not attend the head load work at the time when the railway places wagons at Chingavanam depot. Even though prior intimation was given on

27-8-2007 with regard to the placement of wagons only 61 head load workers were present out of the 123 DPS workers. Because of the absence of the remaining workers and also due to the go slow attitude of the DPS workers present on that day 20 wagons were only cleared on that day. The remaining 10 wagons were cleared on 29-8-2007. Separate memos dated 31-8-2007 were issued to the 62 absentee DPS workers calling upon their explanations. Since the 61 workers who were present on 28-8-2007 did not attend the work properly separate memos dated 31-8-2007 were issued to them seeking their explanations. The explanations submitted by the workers were found unsatisfactory. However only a severe warning was given to the workers who were present by taking a lenient view. The Area Manager of the Food Corporation of India considered the explanations of the 62 absentee workers and found that the explanations submitted by 14 workers are genuine and the explanations of the remaining 48 workers who were deliberately avoiding attendance of duty on the days of placement of wagons are unsatisfactory. Hence it was decided to recover the DC incurred by the FCI from those erring workers. The decision to recover the DC from the workers was taken by strictly following the relevant rules and also following the principles of natural justice. After the implementation of the DPS vide Circular dated 14-6-1996 it was modified periodically by the FCI in accordance with operational necessities and other factory. As per the modified instructions whenever DC is incurred by the FCI due to the failure of DPS workers to clear the wagons in time the same can be recovered from the erring workers. The wagon placement and the resultant loading and unloading work at the godown will not take place on all days. Such placement takes place only four or five times in a month. On the days when there is no placement of wagons or issue of articles the DPS workers are virtually free. FCI was compelled to pay the DC of Rs. 40,500 only due to the laches and negligence on the part of the DPS workers in the Chingavanam depot. Therefore the FCI is entitled to recover the DC from the workers who failed to attend the duty on that day in spite of prior notice.

9. Unions 1 and 2 separately filed rejoinder denying the contentions in the written statement and reaffirming the allegations in the claim statement jointly submitted by the two unions.

10. For the purpose of deciding this reference one witness was examined from the side of the unions as WW1. On the side of the management one witness was examined as MW1 and Exts. M1 to M-15 were got marked.

11. The points for determination are :

- (1) Whether the DC was incurred due to the deliberate non attendance of duty by the 48 DPS workers on 28-8-2007 ?

- (2) Whether the action of the management to recover the DC from the wages of those workers is legal and justified ?

- (3) What relief, if any, they are entitled to ?

12. Point No. 1 : About the expected placement of wagons at 6 a.m. on 28-8-2007 intimation was given to the DPS workers of the Chingavanam depot of the Food Corporation of India by issuing Ext. M3 dated 25-8-2007. They were also directed to attend the work and clear the wagons without incurring any DC. 30 wagons were placed for unloading by the railway on that day at the FCI siding Chingavanam. Out of the 123 DPS workers there, only 61 head load workers were present on that day to unload the goods from those wagons. Only 20 wagons were cleared by them on that day. The remaining 10 wagons were cleared on 29-8-2007 and it was after the free time granted by the railway. Hence the railway charged Rs. 40,500 towards DC and the same is evidenced by Ext. M4 bill. According to the management incurring of DC was due to the non-attendance of duty by the 62 absentee DPS workers on 28-8-2007 and also due to the go slow attitude of the 61 workers present on that day to attend the duty. Out of the 62 absentee DPS workers 14 were on continuous leave and hence the remaining 48 absentee DPS workers were called upon to submit their explanations for the non-attendance of duty on that day and also about the recovery of the DC from their wages. They had submitted their explanations and the management after finding it to be unsatisfactory decided to recover the DC @ Rs. 843.75 from each of them as per Ext. M-12 proceedings dated 16-6-2008. The absence of the 48 DPS workers on 28-8-2007 and 46 DPS workers on 29-8-2007 was treated as unauthorized absence for the purpose of dies non as per that proceedings. 61 DPS workers who had attended the unloading work on 28-8-2007 were issued with the memo dated 31-8-2007, copy of which is marked as Ext. M9, calling upon their explanations for leaving the work spot early without clearing the balance 10 wagons. Even though the explanations submitted by them were found to be not convincing they were let off with a severe warning by issuing Ext. M-10 memo dated 16/19-6-2008.

13. In para 5 of the claim statement it is specifically alleged that all the workmen who were absent on 28-8-2007 had submitted leave applications and the same is not denied in the written statement. MW1 has also admitted during his cross-examination that all the 62 absentee DPS workers submitted leave applications and out of them 14 DPS workers were on continuous leave during that period. In Ext. M11 it is noted it is noted that in the explanation submitted by 45 DPS workers it was stated that they had applied for leave due to illness and that the leave applied for was not granted and kept pending for finalization of DC. MW1 has stated during his cross-examination that no enquiry was made with regard to the grounds stated in the

leave applications submitted by the absentee DPS workers. Without considering the genuineness of the grounds stated in the leave applications it cannot be said that they had unauthorisedly absented themselves on 28-8-2007 until the rejection of those leave applications. It was stated by MW1 that M. N. Vijayan, a DPS worker who was on continuous leave, was not granted exemption along with the 14 other DPS workers since it was not treated as a genuine case due to his absence without prior intimation. It was necessary for the management to consider the genuineness of the reason for availing leave and then to grant or reject the leave applications. It is not always necessary to submit leave application in advance for availing the leave. Those who applied for leave were not asked to produce medical certificate to consider the genuineness of the leave applications and the same is admitted by MW1 during his cross-examination. Since the leave applications are kept pending without granting or rejecting it, it cannot in any way be said that the DPS workers who had submitted leave applications for granting leave on 28-8-2007 had unauthorisedly absented themselves on that day from attending duty.

14. It is the case of the management that if the 61 DPS workers had made earnest effort and would not have left the workplace early all the 30 wagons could have been unloaded on 28-8-2007 itself. In Ext. M-10 memo it is stated that the DPS workers attended the unloading work on 28-8-2007 had left the workspot early leaving 10 wagons uncleared and if they had attended the work up to the time allowed by the railway those wagons also could have been cleared on 28-8-2007 itself and that their action in dumping the stocks in the alleyways despite availability of stack space is unworkman like and against the interest of FCI. But they were let off with a severe warning against repetition of such instances in future. If all the 30 wagons could have been unloaded by them on that day they were to be proceeded against for recovery of proportionate deduction of wages as per the terms of Ext. M2. If the absentee 48 workers are to be made liable for the DC those DPS workers are also to be made liable for incurring the DC.

15. Habitual absenteeism is stated to be a reason for proceeding against the 48 DPS workers. If there was habitual absenteeism without any valid reason on the part of the DPS workers the management could have initiated action as per Clause-15 of Ext. M-2. It is not seen to have been done in this case. It is nowhere provided that habitual absenteeism is a reason for rejection of leave application. It may be considered for the purpose of considering the genuineness of the ground in the leave application. As there is evidence to prove that the DPS workers had submitted leave applications and there is nothing on record to satisfy that those leave applications were rejected it cannot be said that the 48 DPS workers had

unauthorisedly absented themselves from duty on 28-8-2007.

16. In view of the aspects discussed above it cannot be held that the DC was incurred due to the wilful and deliberate non-attendance of the 48 DPS workers on 28-8-2007.

17. **Point No. 2 :** Ext. M2 which provides the conditions of service of the DPS workers does not contain any express provision which enables the management to recover the DC from the DPS workers. According to the management they are entitled to recover the same from them as per the modified instructions issued after the introduction of the DPS Scheme. There is the specific contention in para 7 of the written statement that as per the modified instructions whenever DC is incurred by the FCI to clear the wagons in time the same can be recovered from the erring workers. There is absolutely no documentary evidence in this case to prove that there was any such modified instructions. Clause 15 of Ext. M2 provides that the workers found indulging in disobedience, misconduct etc. shall be subject to action under Model Standing Orders provided in Industrial Employment (Standing Orders) Act, 1946. As per S. 14 of the said Act disciplinary action can be initiated against the workman for misconduct and a workman is liable to be fined upto 2% of his wages in a month for the acts and omissions which are notified with the previous approval of the Government or of the prescribed authority in pursuance of S. 8 of the Payment of Wages Act, 1946. It was submitted by the learned counsel for both sides that no notification has so far been issued specifying the acts and omissions amounting to misconduct. The decision to recover the DC from the DPS workers taken by the management cannot be said to be in accordance with that provision in the said Act.

18. Learned counsel for the management was not able to point out any statutory provision, rule or any agreement which permits the management to recover the DC from the DPS workers in this case without any enquiry. It is already found that it is not due to the deliberate non-attendance of the DPS workers, the DC was levied by the railway. There is nothing on record to satisfy that the management is entitled to recover the same from the wages of the DPS workers.

19. It is also pertinent to note that the management has not preferred any appeal against the rejection of the request for waiver of DC even though there was the clear intimation to prefer an appeal within 30 days in Ext. M5. There was inaction on the part of the management to prefer an appeal after the receipt of Ext. M5 for which the DPS workers cannot be penalized.

20. All the 48 absentee DPS workers had submitted their explanations to Ext. M7 memo issued to them. It was



admitted by MW1 that management had taken the decision to recover the DC from their wages without conducting any enquiry. It is unfair to make them liable for the DC without conducting any enquiry about the challenge made by them for recovery of the DC from their wages. Management had taken the decision to recover the DC from the 48 DPS workers in an arbitrary and illegal manner and without adhering even to the principles of natural justice.

21. In view of the above discussion, I find that the action of the management to recover the DC from the wages of the 48 DPS workers is not legal and justified.

22. Point No. 3: It is already found that the action of the management to recover the DC from the wages of the 48 DPS workers is not legal and justified. Hence the management is not entitled to recover the DC from these DPS workers.

The award will come into force one month after its publication in the Official Gazette.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 29th day of March, 2012.

**D. SREEVALLABHAN, Presiding Officer.**

#### APPENDIX

##### Witness for the Unions

WW1 — **K. P. Shaji, Secretary, Food Corporation of India Workers Association (CITU), FCI Depot, Chingavanam, Kottayam.**

##### Witness for the Management

MW1 — **M. Kandamuthan, Area Manager, FCI, District Office, Chingavanam, Kottayam.**

##### Exhibit for the Union

**Nil**

##### Exhibits for the Management

M 1 — Photocopy of the Letter No. TC-1/2005/201/2pt.D dated 10-10-2006 of the Government of India, Ministry of Railways, Railway Board.

M 2 — Photocopy of the Letter No. IR(L)/8(22)/94 dated 14-6-1996 of the Executive Director (General) as to the introduction of Direct Payment System in notified Food Corporation of India's owned depots.

M 3 — Photocopy of the Memo No. DPS-D/IRL-32(4) 2006-07 dated 25-8-2007 issued from the FCI, District Office, Kottayam.

M 4 — D/C Bill No. CGV/FCI/DC/7/2007 dated 29-8-2007 issued by the S. M., Chingavanam.

M 5 — Letter No. V/C. 200/DC/FCI/CGV/5/07-08 dt. 8-10-2007 addressed to the Area Manager, FCI District Office, Kottayam by the Sr. Divisional Commercial Manager of the Southern Railway, Divisional Office, Commercial Branch, Trivandrum-14.

M 6 — Photocopy of receipt No. CGV/FCI/DC/P/11 dated 30-11-2010 issued by the Station Master, Southern Railway, Chingavanam for payment of DC.

M 7 — Office copy of Memo No. IRL-32(5)/07 dated 31-8-2007 issued by the Area Manager, District Office, Kottayam to DPS workers.

M 8 — Explanation dated 10-9-2007 submitted by Shri T. Y. Kunjunju, DPS worker No. 7 to the Area Manager, FCI, Chingavanam.

M 9 — Office copy of Memo No. IRL-32(5)/07 dated 31-8-2007 issued by the Area Manager, FCI, District Office, Kottayam to the DPS workers.

M 10 — Office copy of Memo No. IRL-32(5/2)/07 dated 16/19-6-2008 issued by the Area Manager, FCI, District Office, Kottayam to the DPS workers.

M 11 — Notes/Draft prepared in the office of the FCI, Kerala Region, Kottayam as to the recovery of DC from DPS workers.

M 12 — Proceedings No. IRL-32(5/2)/07 dated 16-6-2008 of the Manager (DPS), FCI, District Office, Kottayam.

M 13 — Photocopy of Register of wagons unloaded at Rail-Head/Godown siding for the month of February, 2009.

M 14 — Photocopy of Daily Statement of issues from Depots dated 20-2-2009 of the FCI.

M 15 — Photocopy of attendance register of the DPS workers for the month of August 2007.

मई दिल्ली, 11 अप्रैल, 2012

का.अ. 1581—औद्योगिक विवाद अधिनियम, 1947 (1947

का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय धनबाद नं.-1 के पचाट (सदस्य संख्या 2/2(12) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-4-2012 को प्राप्त हुआ था।

[सं. एल-20012/469/2001-आई आर (सी-1)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 11th April, 2012

**S.O. 1581.**—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 2/2002) of the Central Government Industrial Tribunal-cum-Labour Court-1, Dhanbad, as shown in the Annexure in the industrial dispute between the employers in relation to the management of M/s. ECL, and their workman, which was received by the Central Government on 11-4-2012.

[No. L-20012/469/2001-IR (C-I)]

D. S. S. SRINIVASA RAO, Desk Officer

# **ANNEXURE**

## **BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD**

In the matter of a reference U/s. 10(1)(d)(2A) of the Industrial Disputes Act, 1947.

### **Reference No. 2 of 2002**

**Parties :** Employers in relation to the management of Mugma Area of M/s. E. C. Ltd.

**AND**

**Their Workmen**

### **PRESENT:**

Shri H. M. Singh, Presiding Officer

### **APPEARANCES:**

For the Employers : Shri B. M. Prasad, Advocate

For the Workman : Shri U. P. Sinha, Advocate

State : Jharkhand Industry : Coal

Dated the 26th March, 2012

### **AWARD**

By Order No. L-20012/469/2001-IR(C-I) dated 10-1-2002 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of M/s. BCCL in dismissing Sri Kashi Gope, Driller of Hariajam Colliery of M/s. ECL from the services of the company w.e.f. 30-6-97 is fair and justified? If not, to what relief is the concerned workman entitled?"

2. The case of the concerned workman is that he was a permanent employee of Hariajam Colliery and worked as a Driller. He fell in sick in the year 1995 and he became unable to perform his duty and informed the

management. After recovery from illness he reported for his duty in the year 1997 and produced the prescriptions and the certificate of the doctor in support of his illness. Instead of allowing him to resume his duty, the management issued a Charge-sheet 6-3-97. Thereafter the General Manager of Mugma Area dismissed the concerned workman w.e.f. 27/30-6-97. The dismissal of the concerned workman is illegal and unjustified. The Enquiry Officer has not conducted the domestic enquiry in accordance with the principles of natural justice. The Disciplinary Authority has not supplied the copy of the enquiry report to the workman concerned before passing the final order. The workman concerned has not committed any misconduct. The order of the dismissal passed is excessive and disproportionate.

It has been prayed that the Hon'ble Tribunal be pleased to hold that the action of the management in dismissing the concerned workman is not justified and he is entitled for reinstatement with full back wages and other consequential benefits.

3. The case of the management is that no dispute was raised by the employee with employer. When the sponsoring Union raised the dispute before the A.L.C. (C) it had submitted that the concerned workman started absenting from work. No intimation whatsoever was sent to the management about his illness or about his absence from duty. As per the recognised and well accepted principle in the Coal Industry if an employee does not turn-up for employment over a considerable period his name is removed from the rolls of the colliery. While the concerned workman started absenting the management issued charge-sheet against him and called upon to explain the reason. The concerned workman replied to the charge-sheet dated 6-3-97 on 7-3-97. The management appointed an Enquiry Officer to hold the enquiry and informed him to attend the enquiry to defend his case but he did not turn-up on the date fixed for the enquiry. Other letters were also issued asking him to appear before the Enquiry Officer and informing therein that in case of his failure to attend to the enquiry, the same would be conducted ex-parte but he did not attend the enquiry. The Enquiry Officer submitted enquiry report to the management and the management considering the enquiry report dismissed the concerned from service w.e.f. 30-6-97. The reference is not only a stale one rather it is over-stale and no adjudication is required upon it and the same deserves to be struck down.

In such circumstances it has been prayed that the Hon'ble Tribunal be pleased to hold that the action of the management is fully justified and the concerned workman is not entitled to any relief.

4. Both the parties have filed their respective rejoinders admitting and denying the contents of some of the paragraphs of each other's written statement.

5. The domestic enquiry was held to be fair and proper by order dated 23-2-2011.

6. No oral evidence has been produced from either side.

7. Argument was heard.

Main argument advanced on behalf of the concerned workman is that he was ill and got his treatment outside the management's dispensary. He was not given fair opportunity to defend his case. It has also been argued that he has not been given second show-cause notice.

8. In this respect the management representative argued that the concerned workman was issued charge-sheet on 6-3-97 and he replied to the charge-sheet on 7-3-97. It has also been argued that the concerned workman was absenting from duty from 21-6-95. He has not examined alleged Doctor from whom he got treatment. No prescription has been moved for praying his leave. Several notices have been issued for attending the enquiry. He has been given sufficient opportunity to defend his case.

It only shows that he was not interested to perform his job and he had not moved before the management for sick leave as per Standing Order of the Company.

The concerned workman referred 2005 (105) FLR 706 in which Hon'ble Calcutta High Court held that the person would be served with a show cause notice.

9. Considering the above facts and circumstances, I hold that the action of the management in dismissing Sri Kashi Gope, Driller of Hariajam Colliery of M/s. ECL from the services of the company w.e.f. 30-6-97 is fair and justified and hence the concerned workman is not entitled to any relief.

This is my Award.

H. M. SINGH, Presiding Officer

नई दिल्ली, 12 अप्रैल, 2012

का.आ. 1582.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार डब्ल्यू. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नागपुर के पंचाट (संदर्भ संख्या 129/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-4-2012 को प्राप्त हुआ था।

[ सं. एल-22012/3/2003-आई आर (सीएम-II) ]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 12th April, 2012

S.O. 1582.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 129/

2003) of the Central Government Industrial Tribunal/Labour Court, Nagpur as shown in the Annexure in the industrial dispute between the employers in relation to the management of Ballarpur Sub Area of Western Coalfields Ltd., and their workman, which was received by the Central Government on 12-4-2012.

[No. L-22012/3/2003-IR(CM-II)]

D.S.S. SRINIVASA RAO, Desk Officer

#### ANNEXURE

#### BEFORE SHRI J.P. CHAND, PRESIDING OFFICER, CGIT-CUM-LABOUR COURT, NAGPUR

Case No. CGIT/NGP/129/2003

Date: 26-3-2012

Party No. 1 : The Sub Area Manager,  
Ballarpur Sub Area of WCL,  
Post & Tah. Ballarpur,  
Distt. Chandrapur

Vs.

Party No. 2 : The Secretary,  
Lal Zanda Coalmines Mazdoor  
Union, (CITU), Br. Ballarpur,  
Post & Tah. Ballarpur,  
Distt. Chandrapur (MS)

#### AWARD

(Dated: 26th March, 2012)

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government has referred the industrial dispute between the employers, in relation to the management of WCL and their workman Shri Kisanlal Nanka, for adjudication, as per letter No. L-22012/3/2003-IR(CM-II) dated 28-3-2003, with the following Schedule :

#### SCHEDULE

"Whether the action of the management in relation to Ballarpur Sub Area of WCL in reducing the pay of Shri Kisanlal Nanka, Shot Carrier/Explosive Carrier Category II by fixing his pay at mid-point vide order No. WCL/BA/BC/ 64 A/126 dated 18-12-1999 of SOM/Colliery Manager, Ballarpur Colliery 3 & 4 Pits is legal and justified? If not, to what relief the concerned workman is entitled?"

2. On receipt of the reference, the parties were noticed to file their respective statement of claim and written statement and accordingly, the union "Lal Zanda Coalmines Mazdoor Union (CITU)", ("the union" in short) filed the statement of claim on behalf of the workman, Shri Kisanlal

Nanka, ("the workman" in short) and the management of WCL, ("Party No. 1" in short) filed its written statement.

The case of the workman in the statement of claim is that he was employed in Ballarpur Colliery, 3 and 4 pits, Ballarpur on 9-9-1970 as a piece rated loader and after working as such, for a period of 22 years, he was promoted as a shot carrier vide authorization dated 5-12-1993 and due to use of SDL machines from 1991, loading job of loaders was reduced, consequently, most of the loaders sat idle, so the management decided to absorb the loaders in other jobs as a matter of policy and a loader was required to work 10 days in a month and for that loaders absorbed in time rated work were being paid piece rated basic wages in addition to SPRA and he was also paid basic wages of a loader with SPRA till August, 1999, and in September, 1999, he was converted from piece rated to time rated worker and was put in Category II with basic wages of Rs. 69.52, even though, there was a circular of the WCL for pay protection in case of conversion of piece rated employee to time rated employee, who have completed 15 years of continuous service and as per Order No. 2402, dated 3-9-1997, he was put in Category No. II, but he was not given fitment on the basis of the wages he was drawing in the last year of his working on piece rated job i.e. 1996 and as per the order dated 3-9-1997, 40 employees were regularized and out of them, 14 employees, though had not completed 15 years of continuous service as loaders were paid full basic with SPRA as per Letter No. WCL/BA/BC/ 54 A/1995/2000 and he was discriminated and there was and is no reason as to why he should not be treated on par with the other 14 employees and due to fixation of his pay at midpoint of Category II shot firer, he sustained loss of Rs. 65.91 per day and according to the management, there was a settlement entered into by them and the RKKMS union on 31-10-1995 and according to the said settlement, an employee has to give an option for his working in time rated work from piece rated job, on basic wage of time rate and in that settlement, there is no reference as to how the basic wage shall be fixed and he (workman) is not a member of RKKMS union and he is a member of Lal Zanda Coal Mines Mazdoor Union.

The further case of the workman is that he had filed an application on 22-2-1994, as he had received injuries in the course of his employment and party no. 1 has misinterpreted the settlement and the same has no application to his case and his wages have been wrongly and illegally reduced and though he made representation for protection of his pay, party no. 1 did not pay any heed.

The workman has prayed to declare the action of the management in fixing his wages at midpoint and reducing the same from Rs. 135.43 to Rs. 69.52 as illegal and to direct the party no. 1 to pay the difference of wages from September, 1999 till the date of his superannuation.

3. The party no. 1 in its written statement has pleaded inter-alia that the workman was working as a loader at Ballarpur Colliery 3 & 4 pits and according to his application dated 22-2-1994, he had received injury on 4-10-1993, while working at the 16th Dip, 43 level and 17 rise section of the mine, however, subsequently, he was declared fit for his duty, but the pain in his waist had not yet reduced and he was not able to perform his duty as a loader and he requested for light job and on the request of the workman, he was deployed in the job of explosive carrier and as the same was an adhoc arrangement, he was paid group wage of a loader in accordance with policy decision of the company and as the workman had not been declared medically unfit for his original job, management put him back on his original job of the loader, but he made representation vide letter dated 20-12-1994 through his union that he had been stopped from the job of shot firer and it was demanded that he should be regularized as shot firer and the workman again vide his representation dated 5-1-1995, applied for his permanent absorption/regularization as shot firer and he also made allegation that he had been stopped for the job of shot firer and was being compelled to work as a loader and it was apparent from the representations that the workman was not willing to go back to his original job and opted for any time rated job on the ground of his having pain on his waist and his permanent conversion to time rated job from piece rate required competent approval and his case was processed along with other cases of regularization, which took some time and the workman was regularized as explosive carrier along with others vide office order dated 3-9-1997, in consideration of his representation and on completion of 190/240 days attendance as a shot firer and in accordance with the rules and policy decision of the company, the workman was placed at the midpoint of Cat. II, in which category he was placed permanently, but he was continued to be paid the group wage till formal order for fixing his wages at midpoint of Cat. II was received in December, 1999 and according to office order dated 18-12-1999, his basic wage was fixed at midpoint of Cat. II at the basic of Rs. 76.17 per day and the workman received the said basic pay upto October, 2002, without any protest and an industrial dispute was raised by Lal Zanda Coal Mines Mazdoor Union before the ALC (C), Chandrapur and on failure of the conciliation, this reference has been made and as such, its action is perfectly justified and legal and does not deserve to be set aside and if its order is set aside, it will go against the principles of natural justice, as the management will be required to pay higher wage for lower category of post throughout the remaining part of the career of the workman and the workman is not entitled to any relief.

4. The parties have led oral evidence in support of their respective claims, besides placing reliance on documentary evidence. The workman has examined himself

as the only witness on his behalf, whereas, one Shri Baban Randive, a senior clerk of party No. 1 has been examined as a witness on behalf of the party No. 1. The workman and the witness for party No. 1 have reiterated the facts mentioned in the statement of claim and written statement respectively in their respective examination-in-chief, which is on affidavit.

During the course of the cross-examination, the workman was suggested that he had given application to the management to give him light work, on the ground of sustaining injury on the back bone due to accident, but he denied such suggestion.

In the cross-examination, the witness examined by party No. 1 has admitted that the workman was working as a loader from 9-9-1970 and he was entrusted with the work of explosive carrier in 1993 and the workman had never given any written consent to work as explosives carrier and in 1991, SDL machine was engaged for loading coal in the mines and due to engagement of SDL machine, a policy was chalked out to engage loaders in different work and the loaders engaged by the management for doing other works were being paid their basic pay and SPRA as loader and the workman was paid basic pay and SPRA till August, 1999.

5. It is necessary to mention here that at the stage of argument, neither the workman nor his advocate appeared to make argument and as such, argument was heard ex parte from the side of the party No. 1.

6. The learned advocate for the party No. 1 submitted that the dispute was raised by the union on behalf of the workman before the ALC (C), Chandrapur and on failure of the conciliation, the reference has been made by the Government making the union as a party and as such, the filing of the statement of claim and rejoinder by the individual workman is unauthorized, incompetent and ab-initio void and the issue being protection of wage of an individual workman, the same cannot be treated as an industrial dispute and as such, the reference is to be rejected on that score and as it is a point of law, the same can be raised at any stage of the proceeding.

However, it is found that there is no force in the contention raised by the learned advocate for the party No. 1. The issue raised by the learned advocate for the party No. 1 is not a pure question of law. On the other hand, the same is a mixed question of law and facts. The party No. 1 has not taken such a plea in the written statement. Not a single word is mentioned in the written statement in respect of the submissions made by the learned advocate for the party No. 1. Rather, the party No. 1 in para 8 of its written statement has mentioned that the dispute was raised by the Laf Zanda Coal Mines Mazdoor Union before the ALC (C), Chandrapur. In paragraph 4 of the

written statement, it has been mentioned by the party No. 1 that the case of the workman was represented to management vide letter dated 20-12-1994 of the union. Hence, in absence of any pleading in the matter and due to admission in the written statement about the union of the workman raising the dispute, the submission made by the learned advocate for the party No. 1 cannot be entertained.

7. The next point of argument of the learned advocate for the workman was that the workman was working as a piece rated loader and the case of the workman was dealt with by party No. 1 as per the extant policy and settlement and the agreement dated 31-10-1995, which is by way of modification of the conciliation settlement dated 2-11-1992, which stipulates that all such piece rated loaders, who have given options or may give options for time rated jobs will be fixed at the midpoint of commensurate category and para 3 of the agreement also postulates that henceforth, all piece rated workers to be engaged in time rated jobs will be paid as per nature of jobs and the workman was converted and regularized in time rated job with midpoint fixation in 1997, when the said agreement was in operation and he was aware of the agreement dated 31-1-1995 and the contention that the said agreement does not bind him is unfounded and the circular regarding protection of wages of loader working for 15 years is not applicable to the case of the workman as such protection was given to the loaders in regard to filling up 50% vacancies arising out of natural wastage in time rated and monthly rated categories/grades and the settlement is applicable in a different context and background and does not support the case of the workman, as he was not taken in time rate against vacancy arising out of natural wastage and as the workman was provided alternative job due to accident, he is not entitled for protection of wages.

8. It is not disputed by the parties that the workman was working as a loader and subsequently he was given the job of shot carrier. According to the party No. 1, the workman was provided with the job of shot firer on his request as per application dated 22-2-1994 and as the engagement of the workman as shot firer was due his request, his wages was fixed at midpoint of shot firer Category II as per the settlement dated 31-1-1995. However, the pleadings of the parties and the evidence on record clear show that the workman was authorized to work as a shot firer w.e.f. 5-12-1993 as per the authorization of the manager, Ballarpur Colliery, 3 and 4 Pits, which was much prior to the alleged application dated 22-2-1994. There is nothing on record to show that the workman was given the job of shot firer as per his option. The witness for the party No. 1 has also admitted the same in his evidence party No. 1 has failed to produce any evidence to show that the workman opted for the job of shot firer.

9. The party No. 1 has not pleaded that the settlement reached by WCL and RKKMS union is binding to all the

workers of WCL including the workman, who is admittedly not a member of RKKMS. There is also no evidence on record to show that the said settlement is binding on the entire workmen working in WCL.

It is the admitted case of the parties that the wages of the workman was protected till August, 1999 and he was paid the basic wages of loader and SPRA. The workman was not given any chance of hearing before his wages was reduced. The plea of the party No. 1 that it will have to bear heavy financial burden in case of allowing the prayer of the workman is not at all a ground to reject the prayer of the workman, as it is found that the action of the party No. 1 in fixing the wages of the workman at midpoint of shot firer Category II is not justified. Hence, it is ordered :

### ORDER

The action of the management in relation to Ballarpur Sub Area of WCL in reducing the pay of Shri Kisanlal Nanka, Shot Carrier/Explosive Carrier Category II by fixing his pay at mid-point vide Order No. WCL/BA/BC/64 A/126 dated 18-12-1999 of SOM/Colliery Manager, Ballarpur Colliery 3 & 4 Pits is illegal and unjustified. The workman is entitled for protection of his basic wages of loader and SPRA and he is entitled to get the difference of wages September, 1999 till the date of his superannuation. The party No. 1 directed to give effect to the award, within one month of the publication of the award in the official gazette, failing which, the amount will carry interest at the rate of 8% per annum.

J.P. CHAND, Presiding Officer

नई दिल्ली, 12 अप्रैल, 2012

क्र.आ. 1583.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार डब्ल्यू. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नागपुर के पंचाट (संदर्भ संख्या 40/2009) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-4-2012 को प्राप्त हुआ था।

[सं. एल-22012/211/2007-आई आर (सीएम-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 12th April, 2012

S.O. 1583.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 40/09) of the Central Government Industrial Tribunal/Labour Court, Nagpur as shown in the Annexure in the industrial dispute between the employers in relation to the

management of Kamptee Sub Area of WCL, and their workman, which was received by the Central Government on 12-4-2012.

[No. L-22012/211/2007-IR(CM-II)]  
D.S.S. SRINIVASARAO, Desk Officer

### ANNEXURE

BEFORE SHRI J.P. CHAND, PRESIDING  
OFFICER, CGIT-CUM-LABOUR COURT,  
NAGPUR

Case No. CGIT/NGP/40/09-10

Party No. 1 : The Sub Area Manager,  
Kamptee Sub Area of WCL,  
PO : Kamptee,  
Nagpur – (MS)

Vs.

Party No. 2 : Shri Harishankar S/o Dudhnath  
Singh, R/o Kamptee Colliery,  
PO : Kamptee  
Nagpur – (MS)  
Distt. Chandrapur (MS)

### AWARD

(Dated : 2nd April, 2012)

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government has referred the industrial dispute between the employers, in relation to the management of WCL and their workman Shri Harishankar D. Singh, for adjudication, as per letter No. L-22012/211/2007-IR(CM-II) dated 14-1-2010, with the following Schedule :

### SCHEDULE

"Whether the action of the management of WCL in allegedly retiring Shri Harishankar w.e.f. 30-6-2005 prematurely is legal & justified? To what relief is the claimant concerned entitled?"

2. On receipt of the reference, the parties were noticed to file their respective statement of claim and written statement and accordingly, the workman Shri Harishankar Singh, ("the workman" in short) filed the statement of claim and the management of the WCL ("Party No. 1" in short) filed its written statement.

The case of the workman is that he was appointed as a general mazdoor in Kamptee Colliery on 16-12-1974 and as per the system in vogue at that time, his age was recorded as twenty years and in the year 1987, it came to his notice that his date of birth to have been wrongly recorded as 1-7-1945, without any document to that effect and therefore.

he represented several times in 1987-88 for correction of his date of birth, but without any success and on 1-7-1991, he again wrote to the party no. 1 about the wrong recording of his date of birth as 1-7-1945 and the date of birth in Form 'B' Register, Form P.S.-4, Service particulars and service book, to have been over written without any initial of the person making the over writings, which apparently indicates that over writings were done unauthorisedly and there are two important documents in the records of the party no. 1, CMPF form and the identity card, issued by the party no. 1, which show his correct date of birth as 1-7-1956 and he had obtained the certificate of his age from Mayo Hospital on the advice of his counsel, before filing writ petition before the Hon'ble High Court and in the said certificate his age has been mentioned as 51 years and as per implementation instruction 76, he had made representation to party no. 1 stating that as there is a glaring difference of age of nearly 11 years, he should be referred to the age determination committee, but party no. 1 turned down the request on the plea that he should file SSC or HSC certificate, knowing fully well that he is educated upto 8th standard, so he raised the dispute before the ALC and on 31-5-2005, the party no. 1 issued the retirement notice about his retirement on 30-6-2005, without any reference to the dispute and his efforts to obtain orders of the Hon'ble High Court for direction to the party no. 1 to correct the date of birth were turned down, as according to the Hon'ble High Court, the petition was not maintainable because of laches etc. It is further pleaded by the workman that then he approached the Regional Labour Commissioner (Central), Nagpur, who sent a failure report and he moved the Hon'ble High Court and the Hon'ble High Court directed the Desk Officer to refer the dispute to the Tribunal for adjudication and his correct date of birth according to the school record is 20-7-1956 and such date of birth is correctly recorded in CMPF form and in the identity card and therefore, the retirement effected vide notice dated 31-5-2005 is illegal and without any basis. The workman has prayed to set aside the order of retirement and to reinstate him in the post, from which he was retired, with all back wages from 1-7-2005 till his reinstatement.

3. The party no. 1 in its written statement has pleaded inter-alia that the instant claim as framed is not maintainable in the eyes of law as the claim filed by the workman is not only vague, but also sham and frivolous and the claim of the workman about the relief in respect of his age is an afterthought and the recorded date of birth of the workman is 1-7-1945 and such date of birth was recorded in the year 1974 and as the workman has claimed that he is an educated person, it cannot be said that the said date of birth was recorded without his consent and the workman was appointed on 16-12-1974 and there was absolutely no dispute about his age, as his date of birth was recorded as 1-7-1945 in all records including his service book and the service record and Form 'B', register which is a statutory

register also contains the same date of birth and a notice was also displayed in terms of NCWA between the Trade unions and the management in September, 1981 calling for objections from the employees regarding age dispute and the workman at the relevant time also did not turn up with any grievance and the claim of the workman that his date of birth is 20-7-1956 is nothing but afterthought at the fag end of his retirement and at the time of appointment, the age of the workman was recorded as 29 years as on 16-12-1974, in the service sheet and the same was signed by the workman and in 1987, in the service excerpts, the date of birth of the workman was recorded as 1-7-1945 as per his own wish and there is no record regarding consideration of the age of the workman by the age determination committee in the year 1987-89 and the workman did not produce any proper proof of age to change his date of birth and the workman did not represent for correction of his date of birth in 1987-88 or on 1-7-1991 and the documents produced by the workman are not admissible in evidence and the document are not true and the workman is not entitled for any relief.

4. In support of his claim, the workman has examined himself as a witness, besides placing reliance on documents. No oral evidence has been adduced by the party no. 1 in support of its claim.

In his examination-in-chief, which is on affidavit, the workman has reiterated the facts mentioned in the statement of claim. However, in his cross-examination, he has admitted that he cannot say if his date of birth has been mentioned in the official records of WCL both by figures and words. He has further admitted that he has filed the P.S.K. Form and in the said form, his date of birth has been mentioned as 1-7-1945 and the date of birth mentioned in the said form in words has not been scored or rewritten and the said form, Ext. W-I bears his signature. The workman has also admitted that the copy of the service excerpt, Ext. W-II filed by him bears his signature and there is no cutting of the date of birth mentioned in Ext. W-II and in the service book, Ext. W-III, his date of birth has been mentioned as 1-7-1945 and the identity card filed by him was filled in by him. The workman has further admitted that in the Form 'B' register, Ext. W-VI, his date of birth has been mentioned as 1-7-1945.

5. During the course of argument, it was submitted by the learned advocate for the workman that the workman has filed the school leaving certificate showing his date of birth as 20-7-1956 and the nomination form filed by the workman clearly shows over-writing and change of his date of birth and the service book also indicates manipulation of the date of birth and the identity card issued by the company shows the date of birth of the workman as 20-7-1956 and the medical certificate produced by the workman also shows the age of the workman to be 51 years as on 20-11-2007 and from the evidence on record, it is



clear that the date of birth of the workman is 20-7-1956 and in the year 1987, the workman came to know about his date of birth to have been wrongly recorded as 1-7-1945 and therefore, he made several representations for correction of the same, but to no effect and there is nothing in the records of the party no. 1 to show the date of birth of the workman to be 1-7-1945 and all the documents of party no. 1 show manipulation and corrections of the date of birth of the workman and there is no initial below the correction of the date of birth in the documents of the party no. 1 and as such, the workman is entitled for the reliefs claimed in the statement of claim.

6. On the other hand, it was submitted by the learned advocate for the party no. 1 that the workman has not come with clean hands and has suppressed material facts and as such, he is not entitled for the discretionary relief. It was further submitted that the claim of the workman is nothing but an afterthought and the date of birth of the workman has been recorded as 1-7-1945 as per the version of the workman himself and there was absolutely no dispute about his age and the workman himself has admitted such facts in his evidence adduced before the Tribunal and the documents produced by the workman are not admissible in evidence and the same are not proved as per law and the workman had never raised any dispute regarding his date of birth before issuance of the notice for retirement and it was only after service of the notice, such dispute was raised and such stale claim cannot be entertained and it is clear from the pleading of the workman that the Hon'ble High Court has already rejected the claim of the workman on the ground of delay and as such, the reference is not maintainable and the workman is not entitled to any relief.

7. First of all, I will take up the contention raised regarding the delay in raising the dispute. It is well settled in a number of decisions by the Hon'ble Apex Court that the law of limitation which might bar any civil court for giving remedy in respect of lawful rights should not be applied by the Industrial Tribunal. On the other hand, it is a well accepted principle of Industrial adjudication that over stale claims should not generally be encouraged or allowed, unless there is a satisfactory explanation for the delay. Apart from the obvious risk to industrial peace from the entertainment of claim after a considerable long lapse of time, it is necessary also to take into account the unsettling effect this is likely to have on the employer's financial arrangement.

With the touch stone of the principles settled by the Hon'ble Apex Court, the case at hand is to be considered. In the statement of claim, the workman has pleaded that in 1987, he came to know about the wrong recording of his date of birth and he made several representations in 1987-88 to the party no. 1 for correction of the date of birth, but was without success and again on 1-7-1991, he wrote

to the party no. 1 about wrong recording of his date of birth and as per the implementation instruction no. 76, he requested for referring his case to the age determination committee, but party no. 1 turned down the request and asked him to produce SSC or HSC Certificate, even though his educational qualification was upto Class VIII and in 1993, he moved the ALC, Nagpur. Party no. 1 has denied about the workman raising the dispute in 1993. It is clear from the document, W-IV, the failure report submitted by the ALC (C), Nagpur, which has been produced by the workman that the dispute was raised before the ALC (C), Nagpur on 7-12-2006 i.e. after his retirement. The workman has not produced any document to show that he had raised the dispute before the ALC in 1993. Such, unexplained inordinate delay in raising the dispute by the workman is fatal to the reference.

At this juncture, I think it apposite to mention one of the most important facts pleaded by the workman in the statement of claim, which have a fatal effect on the reference. In paragraph six of the statement of claim, the workman has mentioned that, "The efforts of the disputant to correct the date of birth were turned down as according to the High Court the petition was not maintainable because of latches etc."

The above pleadings clearly indicate that the workman had filed a writ petition before the Hon'ble High Court praying for a direction to the party no. 1 for correction of his date of birth, but the Hon'ble High Court turned down the prayer holding the writ petition not to be maintainable on the ground of latches of the workman. When the Hon'ble Court have turned down the prayer of the workman on the ground of latches, it can be held that the reference is not maintainable due to the unexplained delay in raising the dispute.

8. On perusal of the pleadings of the parties and evidence on record including the documents produced by the parties, it is found that in all the documents, the date of birth of the workman has been mentioned as 1-7-1945 both in figure and words, except in the identity card, Ext. W-V. No doubt, in Ext. I, form P.S. 4 there is correction of the date of birth written in figures, but there is no correction in the date of birth mentioned in words. Ext. W-II is the copy of the service excerpt supplied to the workman as per implementation instruction no. 76. In Ext. W-II, the date of birth has been clearly mentioned as 1-7-1945. The workman did not raise any objection regarding his date of birth, when he submitted the original of Ext. W-II to the party no. 1, after supplying the necessary information. In Ext. W-3, Service book also, the date of birth as mentioned has not been corrected. The workman has admitted that the information mentioned in the identity card were filled in by him, hence the same has no evidentiary nature.

9. So far the implementation instruction no. 76 is concerned para 'B' of the same provides review/



determination of the date of birth in respect of existing employees and clause i(b) (ii) of para 'B' provides that wherever there is no variation in records, such cases will not be reopened, unless there is a very glaring and apparent wrong entry brought to the notice of the management. There is no such variation in the records of the workman. Moreover clause (i) (a) of para 'B' provides that in the case of existing employees, Matriculation Certificate of Higher Secondary certificate issued by the recognized universities or Board or middle pass certificate issued by the Board of education and/or department of public instruction and admit card issued by the aforesaid bodies should be treated as correct, provided they were issued by the said universities/boards/institutions prior to the date of the employment, is necessary for correction of the date of birth. The certificate produced by the workman is neither a matriculation certificate nor Higher Secondary certificate issued by the recognized universities or board nor a middle pass certificate issued by the board of education and/or department of public Institution. The said certificate was also not issued prior to the date of the employment as the same was issued in 1991. Hence, on the basis of the educational certificate produced by the workman, there was no question of correction of his date of birth. The medical certificate produced by the workman is support of his age has also no evidentiary value as there is nothing in the same to show as to how the doctor determined his age. In view of the discussions made above, I find no fault in the action of the management. Hence, it is ordered :—

#### ORDER

The action of the management of WCL in allegedly retiring Shri Harishankar w.e.f. 30-6-2005 prematurely is legal & justified. The workman is not entitled to any relief.

J. P. CHAND, Presiding Officer

नई दिल्ली, 12 अप्रैल, 2012

क्र.आ. 1584.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डब्ल्यू.सी.एल. के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, नागपुर के पंचाट (संदर्भ संख्या 12/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-04-2012 को प्राप्त हुआ था।

[ सं. एल-22012/344/2000-आई आर (सीएम-II) ]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 12th April, 2012

S.O. 1584.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 12/2002) of the Central Government Industrial Tribunal-cum-Labour

Court, Nagpur, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of WC Ltd., H.Q. Coal Estate, and their workman, which was received by the Central Government on 12-4-2012.

[No. L-22012/344/2000-IR (CM-II)]

D. S. S. SRINIVASA RAO, Desk Officer

#### ANNEXURE

BEFORE SHRI J.P. CHAND, PRESIDING OFFICER,  
CGIT-CUM-LABOUR COURT, NAGPUR

Case No. CGIT/NGP/12/2002

#### PARTY:

- No. 1(A) : The General Manager (IR),  
WCL HQ Coal Estate,  
Civil Lines, Nagpur-(MS)
- (B) : The General Manager (System),  
WCL HQ Coal Estate,  
Civil Lines, Nagpur-(MS)

#### Versus

- Party No. 2 : The Secretary,  
Lal Zanda Coal Mines Mazdoor Union,  
C/o WCL H.Q. Coal Estate, Civil Lines,  
Nagpur-(MS)

#### AWARD

(Dated : 3th April, 2012)

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government has referred the industrial dispute between the employers, in relation to the management of WCL and their workman Shri Akhil Ahmed, for adjudication, as per letter No. L-22012/344/2000-IR(CM-II) dated 4-12-2001, with the following Schedule :

"Whether the action of the management of WCL in considering the name of Sh. Apurwa Bandopadhyay for DPC prior to Sh. Akhil Ahmed without following the seniority list dated 5-3-90 circulated by the management is legal, proper & justified? If not, to what relief Sh. Akhil Ahmed is entitled to and from which date?"

2. On receipt of the reference, the parties were noticed to file their respective statement of claim and written statement and accordingly, the Union, "Lal Zanda Coal Mines Mazdoor Union" ("the union" in short) filed the statement of claim on behalf of the workman, Shri Akhil Ahmed, ("the workman" in short) and the management of the WCL ("Party No. 1" in short) filed its written statement.

The case of the workman as projected by the union is that the workman alongwith thirteen others were placed in T & S Grade-E as data entry operator (Trainee) in the year 1988 in WCL and after successful completion of the training period, the workman was posted as a data entry operator, T&S Grade D, vide order dated 5-2-1990, w.e.f. 3-7-1989 and in the said order, the name of Shri Apurva Bandopadhyay did not find place and the said Bandopadhyay was posted as a data entry operator (Tr) in T&S Grade-E, w.e.f. 1-9-1989 vide order dated 1-9-1989, which clearly indicates that he completed the training period on 1-9-1990, but by adopting unfair labour practice, the management placed the said Bandopadhyay in T&S grade 'D' as Data Entry Operator, w.e.f. 24-4-1989 and such action of the management was unjustified, unprocedural and in violation of the Rules in vogue in WCL and due to such wrongful and discriminatory action of the management, the workman became junior to Shri Bandopadhyay, as a result of which, Shri Bandopadhyay was promoted to T & S grade 'B' and Senior Data Entry Operator, by superseding the workman and from the records of WCL, it is proved beyond doubt that the workman was much senior to Shri Bandopadhyay and was entitled to promotion to the post of Sr. Data Entry Operator in T & S grade prior to Shri Bandopadhyay.

Prayer has been made by the union to place the workman above Shri Bandopadhyay in the post of Data Entry Operator in T & S grade 'D' and to give him retrospective promotion at par with Shri Bandopadhyay and to put him above Shri Bandopadhyay in the promotional post and all consequential benefits.

3. The party No. 1, in the written statement has pleaded inter-alia that from the terms of reference, it is evident that the genesis of the dispute is the alleged seniority list dated 5-3-1990, but in fact, no such seniority list was published by it on 5-3-1990 and in the statement of claim also, no reference has been made to such seniority list and copy of such document has also not been filed by the union and therefore, the reference is misconceived, unfounded and bad in law and is liable to be rejected outright. It is further pleaded by the party No. 1 that the reference is vague, as much as it does not specify the date of the DPC and post for which the DPC was held and the workman and Shri Bandopadhyay are in the Electronic Data Processing cadre and DPC and promotions have taken place in the cadre for different posts on several occasions and unless relevant DPC is specifically spelt out in the reference, it is not possible to adjudicate the matter and on that ground also, the reference is not maintainable. Party No. 1 has further pleaded that from the statement of claim, it can be found that the alleged grievance of the workman relates to the year 1988-89, when Shri Bandopadhyay was allegedly placed in T&S grade 'E' and grade 'D' ahead of the workman and it is not known as to why no objection was raised by the workman or the union at the relevant

time and the matter was raised so belatedly, after twelve years and if such belated grievance is entertained and adjudicated upon, it will have far reaching effect on the cadre, as so many promotions have taken place in the cadre between 1988-89 to 2000 and on that ground also, the reference is not fit for adjudication. It is further pleaded by the party No. 1 that in the year 1992, the workman and Shri Bandopadhyay were promoted from T & S Gr. 'D' to T & S Gr. 'C' post vide office order No. 443 dated 5/6-5-1992 and in that list, the name of Shri Bandopadhyay appeared at Sl. No. 6, whereas, the name of the workman was at Sl. No. 12 and the said promotion was based on DPC/Proficiency test of 8000 KDP as laid down in the cadre scheme and after the said promotion, the workman did not file any objection or protest petition, even though he was placed below Shri Bandopadhyay in the said promotion list, which obviously means that the workman had no grievance in that regard till 1992 and the workman accepted the place of Shri Bandopadhyay above himself and again in 1997, a DPC was held for promotion from T&S Gr. 'C' employees to Gr. 'B' and in that DPC, proficiency test having 10000 KDP, as prescribed in cadre scheme was held and in the proficiency test, the workman did not qualify and hence, he was not recommended for promotion, whereas, in the said test, Shri Bandopadhyay qualified and was recommended for promotion and accordingly, Shri Bandopadhyay was promoted to T & S Gr. 'B' post w.e.f. 4-7-1997 and at that stage also, the workman did not lodge any protest or raise any objection and a seniority list of EDP cadre was circulated under the cover letter dated 2-8-1997 in which, Shri Bandopadhyay was shown in T&S Gr. 'G', whereas, the workman was shown in Gr. 'C' and the workman did not protest or objected against the said seniority list meaning thereby that he accepted the seniority of Bandopadhyay above him. It is also pleaded by party No. 1 that on 11-2-2000, again a DPC was held for promotion of T & S Gr. 'C' employees to Gr. 'B' in the cadre and the workman did not appear in the DPC and trade test and it is obvious from the above facts that having accepted his position in the cadre vis-a-vis Shri Apurva Bandopadhyay for a long period of 12 years, the workman is estopped from agitating against the same and his conduct and influx to time attract the principles of estoppel from ventilating the alleged grievance and the workman instead of appearing in the DPC and trade test held on 11-2-2000, approached the ALC(C), through his union and the workman is trying to secure redressal of his under serving grievance by covering up his failures and claiming promotion only by comparison.

The further case of party No. 1 is that Shri Bandopadhyay had been deployed as a trainee in Kanhan area from 25-4-1988, through formal letter placing him as a trainee was issued in the 1989 and on a recommendation made by the Area and acceptance thereof by the Headquarters, Shri Bandopadhyay was placed in T&S

Gr. 'E' w.e.f. 25-4-1988 and consequently in T&S Gr. 'D' after one year and the workman and other employees in the cadre did not object to the placement of Shri Bandopadhyay in T & S Gr. 'E' w.e.f. 25-4-1988 and rectification of genuine grievance of an employee like Shri Bandopadhyay after obtaining competent approval cannot be termed as unjustified and unprocedural and therefore, the workman is not entitled for any relief.

4. In the rejoinder, it is pleaded on behalf of the workman that office order dated 5-3-1990 of Personnel Manager, (SE) WCL (HQ), Nagpur is the letter of promotion in grade 'D' as Junior Punch operator/Punch verify operator of himself and others indicating placement and effective date of placement with counting their seniority and for creation of the electronic data processing cadre ("EDP" in short), persons were drawn from different cadres, grades, categories and designations and on completion of training, their placement was done in the cadre with determination of seniority in the said order itself and the said document has been relied by the Ministry as the basis of the reference. It is further pleaded in the rejoinder that in the office order dated 5-3-1990, name of Shri Bandopadhyay was not there, which clearly indicates that at the time of issuance of the said order, Shri Bandopadhyay was not at all on the roll of the EDP cadre and Shri Bandopadhyay was also not in the EDP cadre till 1990 and there was no delay in raising the dispute and the workman was raising the dispute with the management since 1991 and vide Letter No. WCL-IR/SE-788/4971 dated 31-10-1991, professional test of 12 persons for the post of punch verify operator/data entry operator grade 'C' was ordered by the management and for the first time, the name of Shri Bandopadhyay appeared in EDP cadre, but the name of the workman and seven other workers, who were also entitled for such test were not called for the test deliberately and the workman objected the said action of the management through his union, vide letter dated 13-11-1991, after which, the workman and seven other workers were called for the test by the management vide letter dated 29-11-1991 and management issued letter of promotion order dated 5/6-5-1992, in which the name of Shri Bandopadhyay was mentioned at serial no. 6, whereas the name of the workman was at serial no. 12 and the same was objected to by the workman pointing out the illegal entry of Shri Bandopadhyay in the EDP cadre in the Letters No. 131/13-11-1991 and 133/26-11-1991 and management discussed the issue on 07-12-1991, the minutes of which were circulated vide reference no. 2521 dated 9/10-12-1991 of Senior Personnel Officer, Nagpur Area and the workman and Union were taking the issue on regular basis at different levels and ultimately the management discussed the issue on 25-09-1997 at General Manager (IR) level of WCL Headquarters and therefore, it is not a belated case, but is a glaring example of non redressal of genuine grievance of workman and limitation Act is not applicable to Industrial Dispute.

5. Both the parties have led oral evidence in support of their respective claims and have relied on documentary evidence as well. The workman has examined himself as a witness, whereas, one Shri V.P. George, the Personnel Manager (SE) has been examined as a witness by the party no. 1. The workman and so also the witness for the party no. 1 in their examination-in-chief have reiterated the facts mentioned in the statement of claim and written statement respectively.

In the cross-examination, the workman has admitted that no seniority list dated 5-3-1990 has been filed and the office order dated 5-3-1990 is not a seniority list of 1990 and in the order dated 5-3-1990, his name was at serial no. 6 and five persons above him were senior to him and they were entitled for promotion earlier to him and in the year 1989-90, Apurva Bandopadhyay was made senior to him and the promotion order dated 6-5-1992, Ext. W-III is filed by him and in that promotion order, his name is at serial no. 12, whereas the name of Bandopadhyay is at serial no. 6 and he had protested against the order dated 6-5-1992 for placing him below Bandopadhyay, but he has not filed the copy of the representation and in the year 1997, a DPC was held for promotion to the post supervisory grade 'C' and in that orders, Bandhopadhyay was promoted to grade 'B' and he was not promoted to grade 'B' and he was not recommended by DPC for promotion to grade 'B' and he has protested the order dated 4-7-1997 and he did not know about the publication of the seniority on 2-8-1997 by the management and therefore, he did not protest against the seniority list.

6. The witness for party no. 1 in his cross-examination has stated that the workman was deployed for training of data entry operator alongwith 30 others in the year 1989 and on 3-7-1989, he completed the training as per the document, Ext. M-VI and in Ext. M-IV, name of Shri Bandhopadhyay is not there and document, Ext. M-V is a correspondence to Apurva Bandhopadhyay dated 30-3-1988, in which his designation is mentioned as general mazdoor and as per office order dated 5-3-1990, the workman was placed as a junior data entry operator, grade 'D' w.e.f. 30-7-1989 and the name of Apurva Bandhopadhyay was not in the list of applicants as notified by the management by its order dated 2/4-04-1988 and that letter no. 1329 dated 27-6-1989 was issued by the Personnel Manager, Kanhan Area and according to the said letter, a committee was constituted for examining the candidature of Shri Apurva Bandhopadhyay; General Mazdoor for the post of data entry operator in grade-E' and till 27-6-1989, the designation of Apurva was General Mazdoor and document, Ext. W-VI was issued only in respect of Apurva.

7. At the time of argument, it was submitted by the learned advocate for the union that it is clear from the document, Ext. W-IV filed by the union that only 22 workers including the workman had submitted their applications in

response to the notification no. WCL/IR/SE/1048/1397 dated 10-3-1987 for absorption in EDP cadre and they were called for aptitude test on 25-4-1988 and the name of Shri Apurva Bandhopadhyay was not there in the said list and from the same, it can be held that Shri Apurva had even not applied for his absorption in EDP cadre and though Shri Bandhopadhyay was placed in the post of data entry operator (Tr) in T & S grade 'E' w.e.f. 1-9-1989, he was placed in T & S Grade 'D' as data entry operator w.e.f. 24-4-1989 and such action of party no. 1 was unjustified, unprocedural and violation of the extant rules of WCL and by such action, the workman became junior to Shri Bandhopadhyay and due to such illegal action, Shri Bandhopadhyay had been promoted to T & S grade 'B' as Sr. data entry operator by superseding the workman and from the records of party no. 1, it is proved beyond doubt that the workman was much senior to Shri Bandhopadhyay in the post of data entry operator (Tr) and Data entry operator T & S grade 'D' and as such, the workman should have been promoted to the post of Sr. data entry operator in T & S grade 'C' and 'B' prior to Shri Bandhopadhyay and the workman is entitled to promotion to Sr. Data entry operator in T & S grade 'C & B' at par with Shri Bandhopadhyay and to be placed above Shri Bandhopadhyay in the seniority list and to get all the consequential benefits.

8. On the other hand, it was submitted by the learned advocate for the party no. 1 that it is clear from the schedule of reference made by the Government that the basis of claim of the workman is non-consideration of the alleged seniority list dated 5-3-1990, but it is clear from the evidence on record that no such seniority list exists, so, the reference becomes invalid, infructuous and not maintainable and the terms of reference is also vague as there is no mention about the specific DPC, for which post and on what date leading to the grievance of the union and as such, the term of reference is vague.

It was further submitted by the learned advocate for the party no. 1 that according to the version of the union, Shri Bandhopadhyay was placed in grade 'E' and 'D' in data processing department ahead of the workman, in the year 1989 and 1990, though the workman was senior to Shri Bandhopadhyay and the workman was working in the same office and had full knowledge of the position, but the industrial dispute was raised in this matter after a gap of nearly 10/11 years and this fact renders the claim as highly belated and the same will amount to upsetting the entire cadre in which several promotions have been taken place during the intervening period and as the workman did not make any representation at the appropriate time and having remained silent for such a long period also amounts to his accepting the same and in such a situation, the principle of estoppels operates and the workman is estopped from agitating against the same and the purpose of adjudication is to resolve disputes and reduce the area of conflict

between the employers and employees, to improve industrial relations and to maintain industrial harmony and the demand of the union is considered, it will give rise to a spate of industrial disputes and disturb the equilibrium of industrial harmony and on the said grounds, the reference is liable to be rejected. The learned advocate for the party no. 1 also submitted that the document, annexure-H filed by party no. 1 and evidence of the witness for party no. 1 show that though Shri Bandhopadhyay was designated as general mazdoor, he was put on training in computer section w.e.f. 30-3-1988 and as per document dated 16-5-1989, annexure I, regularization of Shri Bandhopadhyay was proposed and approved by the competent authority i.e. G.M. (IR) w.e.f. 25-04-1988 and after completion of one year training, he was placed in grade-D vide office order dated 25-1-1991 retrospectively w.e.f. 24-4-1989 and it was an individual case considered on its own merit and there was no element of any favour and there was no protest from any employee of the cadre including the workman, as there was no manipulation or favour involved, otherwise there would have been strong protest and resentment and after so many years, terming the action of the management of favourism is irrational, illogical and motivated and intended to secure benefits, not on self merit but by comparison and promotion cannot be earned on comparison, when there is want of merit. It was also urged by the learned advocate for the party no. 1 that when promotion was considered for the higher of grade 'C' the workman and so also Shri Bandhopadhyay were eligible for consideration and were promoted on 5/6-5-1992 and at that stage, there was no question of Shri Bandhopadhyay superseding the workman and the workman did not protest against the said promotion order, though the name of Shri Bandhopadhyay was above his name in the said order dated 2-12-2002 and Shri Bandhopadhyay was promoted to grade 'B' vide office order dated 4-7-1997 on the recommendation of DPC, but the workman was not promoted to grade 'B' as he was not recommended by the DPC and the workman in his cross-examination has admitted the same and though the workman has stated that he protested against such promotion, no document has been filed by the union or the workman to show that infact a protest was made by the workman to the promotion of Shri Bandhopadhyay to grade 'B', which clearly indicates that actually there was no such protest and in the provisional seniority list of EDP cadre circulated on 2-8-1997 inviting representation if any, from the concerned employees of the cadre, the name of Shri Bandhopadhyay was in grade 'B' employees, whereas the name of the workman was in grade 'C' employees and when the workman was asked about filing of any objection to the said list, in his cross-examination, he gave an unconvincing reply of his having no knowledge about the same and the workman also did not appear in the proficiency test in the subsequent DPC held for promotion to grade 'B' and as such, there was no question of giving him promotion to

grade 'B' in the year 2000 also and even though not admitted but for the sake of argument, it is held that the placement and promotion of Shri Bandhopadhyay were wrongly done, the same cannot be made a basis for doing another wrong by giving promotions to the workman as because there were five more persons senior to the workman as per the officer order dated 5-3-1990, as pleaded by the workman himself and if the workman is placed ahead of Shri Bandhopadhyay, it will amount to superseding five mere persons by him and therefore, the workman is not entitled for any relief.

In support of such contention, the learned advocate for the party no. 1, placed reliance on the decision reported in 2003(5) SCC-137 (Union of India Vs. International Trading Co.).

9. First of all, I will take up the submission made by the learned advocate for the party no. 1 regarding the vagueness of schedule of reference and the other defects in the schedule. According to the learned advocate for the party no. 1, in the schedule of reference, there is no specification regarding the DPC in which, the name of Shri Bandhopadhyay was considered prior to the workman and the schedule of reference also does not disclose the date of such DPC or the post for which the said DPC was held and as such, the reference is vague. It was further contended that the foundation and basis of claim of the union on behalf of the workman is on the alleged non consideration of the seniority list dated 5-3-1990 and the workman himself has admitted in his cross-examination that no seniority list dated 5-3-1990 is filed and the office order dated 5-3-1990 is not a seniority list of 1990 and as such, there being no seniority list, the reference becomes invalid, infructuous and not maintainable. After going through the pleadings of the parties, evidence, both oral and documentary adduced by them and the schedule of reference, I find force in the contention raised by the learned advocate for the party no. 1. Admittedly, there is no seniority list dated 5-3-1990 as mentioned in the schedule of reference. No such seniority list has been filed by the union or the workman. In the rejoinder, the union has pleaded that the office order dated 5-3-1990 by which the workman and 13 other employees were promoted and posted as data entry operator in T&S grade 'D' be deemed to be the seniority list dated 5-3-1990. However, such claim of the union cannot be accepted. It is clear from the document, Ext. M-IV that the same is an office order dated 5-3-1990 and by the said order the workman and 13 other employees were posted as Jr. Punch Verifier operator/Jr. Data Entry Operator in T&S, Grade 'D'. The workman also in his cross-examination has stated that, "I have not filed the seniority list dated 5-3-1990. I was superseded after 5-3-1990. In the office order dated 5-3-1990, under which the DPC was granted, Mr. Apurva Bandhopadhyay was not considered. However, it is not a seniority list of 1990". So, it is clear that there was/is no seniority list dated 5-3-1990 as mentioned

in the reference and as the reference and so also the claim is based on such non-existence seniority list, the reference becomes invalid and infructuous.

It is also found from the schedule of reference that there is no specification regarding the DPC in which the name of Shri Bandhopadhyay was considered prior to the workman, the date of such DPC and the post for which such DPC was held and as such, the same can be held to be vague.

Moreover, on perusal of the reference, it is found the same has been made for the learned advocate for adjudication as to whether the name of Shri Bandhopadhyay was considered for the DPC prior to the workman. However, from the materials on record and the own evidence of the workman, it is clear that the name of Shri Bandhopadhyay was never considered for any DPC prior to the workman. The document Ext. W-III shows that the name of the workman, Shri Bandhopadhyay and other employees were considered by the DPC at the same time for their promotion to the posts of Punch verifier operator/Data entry operator in T & S grade 'C' from grade 'D' and vide office order dated 5/6-5-1992 they were promoted and posted as punch verifier operator/Data entry operator in T & S grade 'C' at different places by WCL. The workman in his evidence has admitted that, "In the year, 1997, a DPC was held for promotion to the post of supervisory grade 'C'. In that order Bandhopadhyay was promoted to grade 'B'. I was not promoted to grade 'B'. I was not recommended by DPC for promotion to grade 'B'". The evidence of the workman clearly shows that, the names of the workman and Shri Bandhopadhyay were considered for promotion by the DPC at the same time from grade 'C' to grade 'B' and Shri Bandhopadhyay was promoted to grade 'B' as per the recommended of the DPC and the workman was not given promotion, as his name was not recommended by the DPC. It is clear from the materials on record that the name of Shri Bandhopadhyay was not considered for DPC prior to the workman till the promotion of Shri Bandhopadhyay to grade 'B', and as the workman was not promoted to grade 'B', there is no question of consideration of his promotion alongwith or prior to Shri Bandhopadhyay to higher grade from grade 'B'. On that score also, the schedule of reference is not correct.

10. The next contention raised by the learned advocate for the party no. 1 is regarding the delay in raising the industrial dispute. According to the learned advocate for the party no. 1, the union has claimed that Shri Bandhopadhyay was placed in grade 'E' and grade 'D' in data processing department, ahead of the workman, though the workman was senior to Bandhopadhyay in year 1989-90 and the workman was working in the same department and had full knowledge of the position, but no industrial dispute was raised at that time and the dispute was raised after a gap of 10-11 years and such facts rendered the claim as highly belated and will amount to upsetting the

entire cadre in which several promotions have taken place during the intervening period and non-taking of the action by the workman amounts to his accepting the same and he is stopped from agitating against the same.

On the other hand, it was submitted by the learned advocate for the workman that there was no delay in raising the dispute by the workman and the workman had been raising the dispute with the management since 1991 and such facts can be found from the letters written by the workman through the union dated 13-11-1991 and 26-11-1991, the minutes of meeting held on 7-12-1991 with the management and minutes of meeting dated 25-9-1997 with General Manager (IR), level of WCL and provisions of limitation Act are not applicable to industrial disputes.

In view of the submissions made by the learned advocates for the parties as mentioned above, I think it proper to mention here about the settled principles enunciated by the Hon'ble Apex Court regarding the application of limitation Act to industrial disputes and effect of belated raising of industrial disputes. It is well settled by the Hon'ble Apex Court in a number of decisions that.

"It is true that Laws of limitation which might bar any civil Court from giving remedy in respect of lawful rights should not be apply by the Industrial Tribunal. On the other hand, it is a well accepted principle of Industrial adjudication that over stale claims should not generally be encouraged or allowed unless there is a satisfactory explanation for the delay. Apart from the obvious risk to industrial peace from the entertainment of claims after a considerable long lapse of time, it is necessary also to take into account the unsettling effect this is likely to have on the employer's financial arrangement."

In this case, it is pleaded by the union that Shri Bandhopadhyay was placed in T & S grade 'E' w.e.f. 1-9-1989 vide order dated 1-9-1989, from which it can be held that Shri Bandhopadhyay completed one year training period on 1-9-1990, but party no. 1 placed him in T & S grade 'D' w.e.f. 12-4-1989, which was an act of unfair labour practice. However, on perusal of the document, Ext. M-V, it is found that Shri Bandhopadhyay as per office order dated 30-3-1988 was directed to undergo computer training for 3 months. From document, Ext. M-VI, it is found that Shri Bandhopadhyay was allowed to be regularized in technical grade 'E' from 25-4-1988, on the ground of his engagement in the EDP department by the Area itself, prior to 27-4-1988. It is also found from Ext. M-VII that Shri Bandhopadhyay and 10 other employees, whose names were not in the list dated 5-3-1990 (Ext. M-IV) were placed in T & S grade 'D' and according to Ext. M-VII, the placement of Shri Bandhopadhyay in T & S grade 'D' was made w.e.f. 24-4-1989. It appears from the materials on record that no dispute about the placement of Shri Bandhopadhyay in T & S grade 'D' w.e.f. 24-4-1989 was raised before the ALC

by the Union or the workman. It is also clear from the document, the record of note of discussion held in the company level meeting with the union on 25-9-1997, which has been filed by the union that the management of WCL clearly intimated the union that there was no discriminatory approach in the matter of promotion of the workman. Though the workman in his evidence has denied his knowledge about the seniority list dated 2-8-1997, such a seniority list has been filed by the union in this case on 2-12-2002. In the said seniority list, the name of Shri Bandhopadhyay was in the seniority list of T & S grade 'B' whereas, the name of the workman was in T & S grade 'C'. In spite of the same, neither the union nor the workman raised the issue till 2001. Hence, there was inordinate delay in raising the dispute.

11. Moreover, the workman has admitted that there were 5 more employees senior to him in the list dated 5-3-1990. Such employees have not been included as parties in this case, though the union has raised the dispute. It is also found that several promotions have been made in EDP department in the mean time. On that count also it is not possible to give any relief to the workman, as the same will have the unsettle effect in the entire cadre of T & S.

12. In view of the discussions made above and the materials on record, it is found that the workman is not entitled to any relief. Hence, it is ordered :

### ORDER

The reference is answered against the union and the workman is not entitled to any relief.

J.P. CHAND, Presiding Officer

नई दिल्ली, 12 अप्रैल, 2012

का.आ. 1585.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डब्ल्यू.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, नागपुर के पंचाट (संदर्भ संख्या 03/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-04-2012 को प्राप्त हुआ था।

[सं. एल-22012/74/2002-आई आर (सीएम-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 12th April, 2012

S.O. 1585.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 03/2003) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Chhinda Sub Area of Western Coalfields

Ltd., and their workman, which was received by the Central Government on 12-4-2012.

[No. L-22012/74/2002-IR (CM-II)]  
D. S. S. SRINIVASA RAO, Desk Officer

#### ANNEXURE

**BEFORE SHRI J.P. CHAND, PRESIDING  
OFFICER, CGIT-CUM-LABOUR COURT, NAGPUR**

**Case No. CGIT/NGP/03/2003**

**Date : 4-4-2012**

Party :No. 1 : The Sub Area Manager,  
Chhinda Sub-Area of WCL, Pench Area,  
PO Chhinda, Distt. Chhindwara (MP)

**Vs.**

Party No. 2 : The General Secretary,  
DKKMS (BMS), PO Parasia,  
Distt. Chhindwara, (MP)

#### AWARD

(Dated : 4th April, 2012)

In exercise of the powers conferred by clause (d) of sub-section(1) and sub-section 2(A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government has referred the industrial dispute between the employers, in relation to the management of Chhinda Sub Area of WCL and their workman Shri Chandrapal, for adjudication, as per letter No. L-22012/74/2002-IR (CM-II) dated 8-10-2002, with the following Schedule :

"Whether the demand of the Bartiya Koyala Khadan Mazdoor Sangh from the management of New Sethia OCM of WCL Pench area for regularizing Sh. Chandrapal as Trip Man from 19-1-1996 is justified? If so, to what relief is the workman entitled?"

2. On receipt of the reference, the parties were noticed to file their respective statement of claim and written statement and accordingly, the union, "Bhartiya Koyla Khadan Mazdoor Sangh", ("the union" in short) on behalf of the workman Shri Chandrapal, ("the workman" in short), filed the statement of claim and the management of the WCL, ("Party No.1" in short) filed its written statement.

The case of the workman as presented by the union in the statement of claim is that the workman was appointed as a TM on 13-6-1973 and presently he is working at New Sethia OCM in category V(SLU) and he is a matriculate and due to his educational qualification and work efficiency, the employer of New Sethia OCM, authorized the workman to work as Trip Man at Vishupuri OCM on 19-1-1996, under as provisions of the Mines Act and its Rules and the employer undertook to designate the workman as a Trip Man in clerk grade III and to pay wages accordingly,

after taking sanction from the appropriate authority. The further case of the union is that the service condition of the workmen employed in WCL are governed under the provision of the Certified Standing Orders and according to the said Certified Standing Orders, when a permanent workman is promoted to a higher post, grade, he would be confirmed in the same capacity, just after completion of six months probation period and as the selection and promotion of the workman as a Trip Man was already made on 13-6-1996 the workman is entitled for regularization as Trip Man from 13-6-1996. Prayer has been made by the union for regularization of the workman as a Trip Man w.e.f. 13-6-1996 and to give him all the consequential benefits.

3. The party no. 1 in its written statement has pleaded inter-alia that the present dispute is regarding regularization of the workman in the post of Trip Man from 19-1-1996 (wrongly mentioned as 19-11-1996 in the W.S.), but the dispute was raised in the year 2002, after lapse of several years and as such, the claim is highly belated and not maintainable. It is further pleaded by party no. 1 that the service conditions of employees working in coal industries are governed by various settlements, generally known as NCWA and job nomenclature and cadre scheme for each category of employees are part of NCWA and the service conditions are also governed by the Standing Orders applicable to the concerned colliery and the workman was initially appointed in the year 1973 as Greaser Helper and was posted at New Sethia OCM and he was authorized to work as Trip Man at Vishupur OCM on 19-1-1996, as and when required basis and as per the Mines Act, when any workman is deployed on any other job then his normal duty as and when required basis, he is to be given V.T.C. training as required under the Mines Act and the workman was regularized as a trainee (M) and posted at New Sethia OCM vide office order no. 3135/02 dated 24-8-2002 and subsequently, vide office order dated 26-8-2002, the workman was regularized at PIT man in clerical grade III and in view of such facts, the claim of the workman for regularization as a Trip Man from 19-1-1996 is not justified.

4. It is necessary to mention here that after filing of the statement of claim, the workman did not appear in the case at all to contest the same and as such, by order dated 12-8-2011, the case proceeded ex parte against the workman.

5. It is well settled that when a workman raises a dispute challenging the validity of the termination of his services, it is imperative for him to file written statement before the Industrial Court setting out grounds on which the order is challenged and he must also produce evidence to prove his case. If the workman fails to appear or to file written statement or to produce evidence, the dispute referred by the Government cannot be answered in his favour and he could not be entitled to any relief.



In this case also, the workman has failed to produce any evidence in support of his claim and as such, the reference cannot be answered in his favour and he is not entitled to any relief. Hence, it is ordered :

### ORDER

The demand of the Bhartiya Koyala Khadan Mazdoor Sangh from the management of new Sethia OCM of WCL Pench area for regularizing Sh. Chandrapal as Trip Man from 19-1-1996 is unjustified. The workman is not entitled for any relief.

J.P. CHAND, Presiding Officer

नई दिल्ली, 12 अप्रैल, 2012

का.आ. 1586.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डब्ल्यू.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, नागपुर के पंचाट (संदर्भ संख्या 05/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-04-2012 को प्राप्त हुआ था।

[सं. एल-22012/54/2004-आई आर (सीएम-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 12th April, 2012

S.O. 1586.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 05/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Chhinda Sub Area of Western Coalfields Limited of Kanhan Area, and their workman, which was received by the Central Government on 12-4-2012.

[No. L-22012/54/2004-IR (CM-II)]

D. S. S. SRINIVASA RAO, Desk Officer

### ANNEXURE

BEFORE SHRI J.P. CHAND, PRESIDING OFFICER  
CGIT-CUM-LABOUR COURT, NAGPUR

Case No. CGIT/NGP/05/2005

Date : 4-4-2012

Party No. 1 : The General Manager,  
Western Coalfields Limited of Kanhan  
Area, PO Dungaria, Distt. Chhindwara,  
(M.P.)

Vs.

Party No. 2 : Shri G.N. Shah, Chief General Secretary,  
Madhya Pradesh Koyala Khadan  
Mazdoor Panchayat, PO : Junnardeo,  
Distt. Chhindwara, (MP)

### AWARD

(Dated : 4th April, 2012)

In exercise of the powers conferred by clause (d) of sub-section(1) and sub-section 2(A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government has referred the industrial dispute between the employers, in relation to the management of WCL and their workman Shri Guddu Atinaj Horilal, for adjudication, as per Letter No. L-22012/54/2004-IR (CM-II) dated 30-12-2004, with the following Schedule :

"Whether the action of the management of WCL of Kanhan Area, PO : Dungaria Distt. Chhindwara in terminating the services of Shri Guddu Atinaj Horilal w.e.f. 20-10-2000 is legal & justified? If so, to what relief is the workman entitled?"

2. On receipt of the reference, the parties were noticed to file their respective statement of claim and written statement and accordingly, the union, "Madhya Pradesh Koyala Khadan Mazdoor Panchayat", ("the union" in short) filed the statement of claim on behalf of the workman Shri Guddu Horilal, ("the workman" in short), and the management of the WCL of Kanhan Area ("Party No.1" in short) filed its written statement.

The case of the workman as presented by the union in the statement of claim is that the workman was a permanent employee at Tandsi Colliery, Kanhan Area, and he met with an accident, while on duty in underground on 29-10-1999 and as he was not treated properly at company's hospital, he went to government hospital and other agencies for proper treatment and during the period of his treatment, charge sheet dated 17-8-2000 was issued against him, on the allegations of his remaining unauthorized absence from 8-6-2000 to 17-8-2000 and the workman was also put under suspension and the workman submitted all the medical certificates to the management and requested to allow to join duty, but he was not allowed to join duty and thereafter, no enquiry was conducted and the workman was also not granted any chance to defend himself and ex parte order of dismissal from services was passed and the action of the management was not fair and was colourable exercise of right and the punishment of dismissal from services is a major punishment in comparison to the minor misconduct alleged to have been committed by the workman and the same is liable to be set aside. The union has prayed for reinstatement of the workman in service with full back wages and continuity in service.

3. The party no. 1 in its written statement had pleaded inter-alia that the workman was employed as a piece rated mazdoor in Tandsi project of Kanhan area w.e.f. 21-4-1995 and from the date of his initial appointment, the workman was irregular in service and he remained absent from duty without any intimation, permission or sanction of leave on various occasions and he did not show any interest in the



work and even though, he was given opportunities to improve his conduct, the workman remained absent without intimation, permission or sanction of leave from 20-2-1998 to 21-7-1998 and as such, a charge sheet was submitted against him on 21-7-1998 and the charge sheet was sent to the workman by registered post in his residential address as declared in Form 'B' register, but he refused to accept the same and a copy of the charge sheet was displayed in the notice board and thereafter, management decided to conduct a detailed enquiry and during the pendency of the departmental enquiry on the charge sheet dated 21-7-1998, management permitted the workman to resume his duties and one Shri V.K. Srivastava was appointed as the enquiry officer and the enquiry officer fixed the first sitting of the enquiry on 22-1-1999, but the workman remained absent in the enquiry, so the enquiry officer vide memo dated 3-2-1999 fixed the second sitting of the enquiry on 31-3-1999 and as the workman did not attend the enquiry the enquiry officer decided to proceed with the enquiry *ex parte* against the workman and accordingly, the departmental proceeding was held *ex parte* and the management representative led evidence and produced documents and the enquiry was closed after adducing evidence from the side of the management and the enquiry officer submitted his report holding that charges leveled against the workman to have been proved and basing on the findings of the enquiry officer, the competent authority decided to terminate the services of the workman and accordingly, by order dated 20-10-2000 the service of the workman were terminated and the workman committed a serious misconduct and the punishment imposed is not shockingly disproportionate and the workman had never submitted any medical certificate regarding his illness and as the workman remained absent in the enquiry and did not send any intimation regarding the reason of his absence, the enquiry officer had no other option than to proceed with the enquiry *ex parte* against the workman and the workman expired on 6-10-2007.

4. It is necessary to mention here that after filing of the statement of claim, neither the union nor the workman in the case to contest the same and as such, order was passed on 12-8-2011 to proceed with the reference *ex parte* against the petitioner.

5. As this is a case of termination of the services of the workman, after holding a departmental enquiry, the validity of the departmental enquiry was taken as a preliminary issue for consideration and as per orders dated 17-2-2012, the departmental enquiry was held to be fair, valid and in accordance with the principles of natural justice.

6. It is well settled that when a workman raises a dispute challenging the validity of the termination of his services, it is imperative for him to file written statement before the Industrial Court setting out grounds on which the order is challenged and he must also produces evidence

to prove his case. If the workman fails to appear or to file written statement or to produce evidence, the dispute referred by the Government cannot be answered in his favour and he could not be entitled to any relief.

In this case also, neither the union nor the workman has produced any evidence in support of his claim and as such, the reference cannot be answered in favour of the petitioner and the petitioner is not entitled to any relief. Hence, it is ordered :

### ORDER

The action of the management of WCL of Kanhan Area, PO : Dungaria Distt. Chhindwara in terminating the services of Shri Guddu Atmaj Horilal w.e.f. 20-10-2000 is legal & justified. The workman is not entitled to any relief.

J.P. CHAND, Presiding Officer

नई दिल्ली, 12 अप्रैल, 2012

का.आ. 1587.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार डब्ल्यू. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नागपुर के पंचाट (संदर्भ संख्या 21/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-4-2012 को प्राप्त हुआ था।

[सं. एल-22012/93/2003-आई आर (सीएम-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 12th April, 2012

S.O. 1587.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 21/2004) of the Central Government Industrial Tribunal/Labour Court, Nagpur as shown in the Annexure in the industrial dispute between the management of Western Coalfields Limited, and their workman, which was received by the Central Government on 12-4-2012.

[No. L-22012/93/2003-IR(CM-II)]

D.S.S. SRINIVASA RAO, Desk Officer

### ANNEXURE

**BEFORE SHRI J.P. CHAND, PRESIDING  
OFFICER, CGIT-CUM-LABOUR COURT,  
NAGPUR**

**Case No. CGIT/NGP/21/2004**

Party No. 1 : The Manager, Western Coalfields  
Ltd., Chhatarpur Mine No. 2,  
Patharkhera Area,  
Betul (MP)

Vs.

Party No. 2 : Shri Dilip Kumar S/o Sh. Ramprasad, C/o Shri P. Modi,  
Jt. General Secretary  
Rashtriya Koyla Khadan  
Mazdoor Sangh, Vishwakarma,  
Chhindwara (MP)

### AWARD

(Dated : 4th April, 2012)

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government has referred the industrial dispute between the employers, in relation to the management of WCL and their workman Shri Dilip Kumar S/o Ramprasad, for adjudication, as per letter No. L-22012/93/2003-IR(CM-II) dated 30-1-2004, with the following schedule :

### SCHEDULE

"Whether the action of the Manager, Chhatarpur No. 2 Mine of Western Coalfields Limited, Patharkhera Area in terminating the services of Shri Dilip Kumar S/o Ramprasad w.e.f. 21-7-2001 and thereafter in dismissing him w.e.f. 23/24-10-2001 without revocation of the previous termination is justified ? If not, to what relief the workman is entitled ?"

2. On receipt of the reference, the parties were noticed to file their respective statement of claim and written statement and accordingly, the workman, Shri Dilip Kumar, ("the workman" in short), filed the statement of claim and the management of WCL, ("Party No. 1" in short) filed its written statement.

The case of the workman as projected in the statement of claim is that he was appointed on 25-11-1999; on compassionate ground due to the death of his father, who was working with WCL and while he was working in Chhatarpur Mine No. 2 of WCL, a charge sheet under clause 26.24 and 26.30 of the Certified Standing Orders was issued against him, on the allegations of committing misconducts of habitual absenteeism from duty without sufficient cause and remaining absent from duty without sanctioned leave and sufficient cause, but in the charge sheet the number of days he attended the duties and about his remaining absence from duty from 7-2-2001 to 11-4-2001 was mentioned and as such, the charges leveled against him were vague and the enquiry proceedings along with the punishment of dismissal from services imposed against him were vitiated and a domestic enquiry was conducted against him and the punishment of dismissal was passed by the Manager of Chhatarpur Mine No. 2, who was not the competent authority to pass the order and he was not supplied with the copy of the enquiry report and he was ill for the period

from 12-2-2001 to 20-7-2001 and as no quarter was provided to him by the management, he went to his residence situated about 35 Kms away from the mine and he was treated there and after he was declared fit for his duty, he reported to the Manager on 21-7-2001 for duty, but till 24-10-2001, the date of his dismissal, he was not allowed to join duty and as such, it can be held that he was already terminated from the services of the company w.e.f. 21-7-2001 and as his service was already terminated, the order of dismissal from service passed on 24-10-2001 is illegal. It is further pleaded by the workman that during the period of his treatment for his illness, he had sent application to the Manager of Chhatarpur Mine No. 2 on 12-2-2001, under certificate of posting and the same was received by the Manager and subsequently also on 21-7-2001, 27-7-2001 and 3-9-2001, he submitted applications, but the same were not entertained by the management. The workman has prayed to set aside the order of dismissal from services passed against him and to reinstate him in service with back wages and other benefits.

3. The party No. 1 in its written statement has pleaded inter-alia that the father of the workman, Ramprakash was working as a Halauz Khalasi at Ambara Colliery of Kanhan area and as he died in harness, the workman, who was one of the dependents of Ramprakash was given compassionate appointment and was posted at Chhatarpur Mine No. 2 of Patharkhera area and the workman was a habitual absentee and he did not show any interest in his work from his initial appointment and he attended duty for 27 days, 87 days, and 23 days in 1999, 2000 and 2001 respectively and the workman was issued with a warning letter dated 5-4-2000 for remaining absent from duty unauthorisedly and the workman was again issued with a show cause notice dated 27-7-2000 for remaining unauthorisedly absent from duty and the workman submitted his explanation asking for pardon vide his application dated 31-7-2000 and his case was sympathetically considered and warning by way of punishment was issued and the workman again remained absent from duty from 2-9-2000 to 5-9-2000 and he was issued with a warning letter dated 6-9-2000 and the workman remained absent unauthorisedly w.e.f. 13-9-2000 and vide letter dated 10-11-2000, he was asked to submit his explanation and the workman by his application dated 6-12-2000 admitted the charges and requested for pardon, so he was issued with a warning letter dated 6-12-2000, considering his case sympathetically and with a view to give him an opportunity to improve his conduct and he was permitted to resume his duty w.e.f. 6-12-2000, but the workman remained unauthorisedly absent from duty w.e.f. 7-2-2001, so he was issued with a charge sheet dated 11-4-2001 for unauthorized absenteeism and for habitual absenteeism and one Shri G. S. Gautam was appointed as the enquiry officer and the enquiry was held on different dates and the workman was present in person in the enquiry and even though, the enquiry officer intimated him that in

case of admission of the charges, there is possibility of termination of his services by the management and despite such warning and knowing about the consequences of admission of the charges, the workman unconditionally admitted the charges and the enquiry officer submitted his report on 6-9-2001, holding the workman guilty of the charges and the competent authority after going through the documents and being satisfied about the conduction of the departmental enquiry in accordance with law, issued a show cause notice along with the findings of the enquiry officer on 12-9-2001 to the workman, but the workman did not submit any explanation and thereafter, the competent authority passed the order of dismissal of the workman from the services and the workman was never sick and the punishment awarded against the workman is not severe or shockingly disproportionate in comparison to the proved misconduct against him in the enquiry and the punishment is just and proper.

4. It is necessary to mention here that after filing of the statement of claim, the workman did not appear in the case to contest the same and by order dated 17-2-2012, the case proceeded exparte against the workman.

5. As this is a case of termination of the services of the workman after holding a departmental enquiry, the validity of the departmental enquiry was taken as a preliminary issue for consideration and as per orders dated 17-2-2012, the departmental enquiry was held to be fair, valid and in accordance with the principles of natural justice.

6. At this juncture, it is necessary to mention that there was no order of termination of the services of the workman on 21-7-2001. The workman has only pleaded that as on 21-7-2001, he approached the management to allow him to join duties, but management did not allow him to join duties till 24-10-2001, the same amounted to termination of his services, but actually there was no order of termination. Hence, part of the schedule of reference in regard to termination of the services of the workman is found to be not correct.

7. It is well settled that when a workman raises a dispute challenging the validity of the termination of his services, it is imperative for him to file written statement before the Industrial Court setting out grounds on which the order is challenged and he must also produce evidence to prove his case. If the workman fails to appear or to file written statement or to produce evidence, the dispute referred by the Government cannot be answered in his favour and he could not be entitled to any relief.

In this case also, the workman has not produced any evidence in support of his claim and as such, the reference cannot be answered in his favour and the workman is not entitled to any relief. Hence, it is ordered :

## ORDER

The action of the Manager, Chhatarpur No. 2 Mine of Western Coalfields Limited, Patharkhera Area in dismissing the services of Shri Dilip Kumar S/o Ramprasad w.e.f. 23/24-10-2001 is justified. The workman is not entitled to any relief.

J.P. CHAND, Presiding Officer

नई दिल्ली, 12 अप्रैल, 2012

का.आ. 1588.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार डब्ल्यू. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नागपुर के पंचाट (संदर्भ संख्या 01/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-4-2012 को प्राप्त हुआ था।

[सं. एल-22013/1/2012-आई आर (सी-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 12th April, 2012

S.O. 1588.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 01/2006) of the Central Government Industrial Tribunal/Labour Court, Nagpur, as shown in the Annexure in the industrial dispute between the employers in relation to the management of WCL, and their workman, which was received by the Central Government on 12-4-2012.

[No. L-22013/1/2012-IR(C-II)]

D.S.S. SRINIVASA RAO, Desk Officer

## ANNEXURE

**BEFORE SHRI J.P. CHAND, PRESIDING OFFICER, CGIT-CUM-LABOUR COURT, NAGPUR**

**Case No. CGIT/NGP/Appln/01/2006**

**Date: 22-3-2012**

**Applicant :** Manohar Prasad S/o Rajendra Singh, Aged about 38 years, Occ. Service, R/o C/o Sudhakar Jiwane, Wark No. 6, Janata College Road, At-Post : Ghugus, Chandrapur (M.S.)

**Vs.**

**Respondents 1. :** Western Coalfields Limited, Civil Line, Nagpur, Through its Chairman-cum-Managing Director

**2. :** Western Coalfields Limited, Sub-Area Office, Colar Pimpri Sub-Area, Wani North Area, through its Deputy Regional Manager

**AWARD**

(Dated : 22nd March, 2012)

This is an application, under Section 13-A of the Industrial Employment (Standing Orders) Act, 1946.

2. The case of the applicant is that he passed his diploma in civil engineering in 1994 and he came to be appointed as general mazdoor cat. I on 25-1-1998 by the Personnel Manager, Open Cast Mine, Ballarpur Area and in September, 1999 he was transferred to Telwasa open cast mine in Mazri Area and on 5/12-6-2001, he received a call for appearing in the test for the post of overseer and the said test was held on 29-6-2001 and in the said test, he was declared successful and as such, he was promoted on 6/8-12-2001 to the post of Overseer (Civil) and posted at Wani North area and his entire service record is clean and excellent and he is a workman as defined under Section 2(S) of the Industrial Disputes Act, 1947 ("the Act" in short).

The further case of the applicant is that the entire Coal Mines were taken over by the Govt. of India by virtue of the provisions of the Coal Mines Taking Over Management Act, 1973, and the Government of India enacted the Coal Mines (Nationalisation) Act, 1973, which came into force on 30-5-1973 and by virtue of the said Act, all the mines owned by the erstwhile owners were vested with the Government of India and the Government of India framed companies, which are known as "Coal India Limited" and "Coal Mines Authority Limited" etc. and in the due course, Western Coalfields Limited, a subsidiary of Coal India Limited was formed and additionally several other subsidiaries companies of Coal India Ltd. were also formed and when the Mines were owned by the erstwhile Mine Owners, their owners were themselves companies and each of the collieries had its own standing orders, and the respondent no. 1 framed its own standing orders and the same was certified and amended from time to time and lastly in the year 1993, the said standing orders was duly certified and the service conditions of the employee including himself are governed by the said standing orders and clause 26 of the said standing orders refers to various misconducts, clause 27 refers to penalties and clause 28 refers to major penalties and it is clear from the said clauses that unless a particular Act is covered by the definition of the misconduct, no employee can be served with a charge sheet and despite the same, the respondent no. 2 on 20/24-2-2006 issued a charge sheet to him alleging that he committed a misconduct covered by clauses 26.01, 26.09 and 26.22 of the certified standing orders and the allegations leveled against him are that he was appointed as a nominee of Shri U. V. Kulmethe and his appointment was made in view of the fact that the land belonging to Shri Kulmethe was acquired by the respondents and subsequently, it was revealed that Shri Kulmethe is a tribal and therefore, Government refused the registration of the

land and therefore, he was not entitled to be employed and he secured the job illegally and no such condition was incorporated in his appointment order dated 25-1-1998, therefore, the charge sheet is illegal and the acquisition of land was within the knowledge of the respondents and after acquiring the land, the respondent spend huge amounts and constructed the building thereon and he is not aware as to why the Government refused the permission for registration of the deed of transfer of land in favour of the respondents and he had no role to play therein, therefore, clause 26.01 is not at all attracted and clause 26.09 refers to giving of false information regarding name, age, father's name, qualification in connection with his employment and as such, the charge as leveled against him is also not covered under the said clause and clause 26.22 refers to willful and deliberate act, which is subversive of discipline or which may be detrimental to the interest of the company and the same is also not applicable to him.

It is further pleaded by the applicant that unless the charge is covered by the definition of misconduct under clause 26, the respondents have no right to issue the charge sheet against him and the respondents cannot interpret the Standing Orders to suit their purpose and therefore, the question of interpretation as to whether the management can issue a charge sheet in respect of "misconduct" not covered under clause 26 is necessary to be interpreted and in the decision reported in 1985 II SCC-35, the Hon'ble Supreme Court have held that unless the charge is covered by the definition of misconduct, no charge sheet can be issued and therefore, it is clear that the charge sheet dated 20/24-2-2006 issued against him is illegal and no enquiry can be conducted in respect of the charge sheet and on receipt of the charge sheet, he demanded various documents and sought permission for engagement of an advocate for his defence and relevant documents were not supplied and there was also no reply for permission to engage advocate and the respondents are likely to lush up the matter in the most arbitrary manner and he applied for the post of overseer and he was interviewed and selected and the said order is entirely a fresh order and has nothing to do with his appointment by order dated 25-1-1998.

The applicant has prayed to interpret as to whether his alleged misconducts are covered by clauses 26.01, 26.09 and 26.22 and whether the respondents can hold an enquiry and take disciplinary action against him, under section 13A of the Industrial Employment (Standing Orders) Act, 1946.

3. The respondents in their written statement has pleaded inter-alia that the applicant was initially appointed as a general mazdoor, as the dependent nominee son-in-law of a tribal land owner, Shri Udhav Vatu Kulmethe and the appointment was conditional and provisional, subject to final transfer/sale of the land to the management of WCL, which is evident from the appointment letter itself and the

sale/purchase of the concerned land was subsequently not permitted by the State Government and the land owners had exerted pressure upon the WCL to take over physical possession of the land and to provide employment for the applicant, even though it was legally not tenable and since in the deal, the applicant is the main beneficiary by way of obtaining the employment on false pretext, the management initiated disciplinary action against him, under the relevant clauses of the Certified Standing Orders and this application has been filed by the applicant challenging the applicability of the relevant clauses of the Certified Standing Orders and the step taken by him is premature and intended to thwart the disciplinary proceeding initiated against him and the management has inherent right to take disciplinary action against its employees, if they are alleged to have violated the norms of discipline and before the dispute before the labour court, the applicant had not raised such dispute before the management and as such, there is no cause of action for the applicant to raise the dispute and unless the disciplinary process is completed and the applicant is punished, he cannot take shelter of the court for ventilation of his apprehended grievances and if the present application is allowed to succeed, it will amount to premature interference with the smooth process of the departmental enquiry and therefore, the application is liable to be rejected.

4. During the course of the argument, it was submitted by the learned advocate for the applicant that the applicant has filed the application praying for interpretation of standing order alongwith consideration of the charge sheet dated 24-2-2006 issued against him and though the applicant was initially appointed as a General Mazdoor Category-I, subsequently he appeared in the test conducted by the management on 29-6-2001 for the post of overseer in pursuance to the call letter dated 5/12-6-2001 and he was declared successful in the test and posted as Overseer (Civil) a Wani North Area and the charge sheet dated 24-2-2006 was issued against the applicant, on the specific grounds that approval of the Government to transfer the land to WCL was not received and in the judgment reported in 1985(2) SCC-35 (Rasiklal Vs. Ahmedabad Municipal Council), the Hon'ble Apex Court have held that only those acts and omissions which clearly fall within the misconduct specified in standing orders would constitute misconduct and in this case, the charge leveled against the applicant is not covered by specific misconduct under standing orders and therefore, the management has no right to issue the charge sheet.

It was further submitted by the learned advocate for the applicant that after several rounds of negotiation with the owner of the land, the government granted approval to transfer the ownership of the land to WCL which can be found from the document enclosed as reference no. 1 and since the Government has already approved the transfer of

land, the question of removing the applicant from service now doesn't arise.

5. Per contra, it was submitted by the learned advocate for the respondents that this tribunal has not been empowered or notified by the Central Government for doing interpretation on the standing orders and under Section 13A of the Industrial Employment (Standing Orders) Act, 1946, there has to be a specific notification by the appropriate Government empowering Labour Court constituted under Industrial Disputes Act, to interpret standing orders and no such notification has been made and published in the official gazette and therefore, due to want of jurisdiction, this tribunal is not entitled to entertain the matter and decide the issue and the application filed by the applicant is as ab-initio void and not maintainable. The further contention raised by the learned advocates for the respondents is that the application is premature inasmuch as only a charge sheet is submitted against the applicant and the matter is still under process and the applicant had not raised the issue with the management and the same had not been rejected by the management and therefore, no cause of action has arise to file the application and by filing such application, the applicant is trying to stop the process of disciplinary proceeding and the applicant was given provision appointment on grounds of being the son-in-law of a land oustee and his marital status is therefore open to investigation through the process of disciplinary action and the respondents were coerced and pressurized to sign an agreement for the position of the land and offering employment to the applicant, knowing fully well that it being Adivasi land, transfer, or sale of the said land was not permissible, without the permission of the State Government, which was subsequently nor permitted by the State Government and such acts were committed with the element of fraud and dishonesty and to cause deliberate harm to the company's interest and therefore, the same are covered under the clause of relevant orders and therefore the application is liable to be rejected.

6. The contentions raised by the learned advocate for the respondents are regarding the jurisdiction of this Tribunal to entertain and dispose of the application, on the ground that a special notification under Section 13A of the Industrial Employment (Standing Orders) Act, 1946 is necessary empowering this Labour Court to exercise jurisdiction in respect of applications under Section 13A and Section 13A merely permits a Labour Court to decide questions as to application or interpretation of a standing order and does not empower a Labour Court to grant substantive or consequential relief and as such, the prayer of the applicant to pass orders not to proceed with the enquiry cannot be granted and the application is premature.

7. The learned advocate for the applicant in reply submitted that the Presiding Officer, Labour Court appointed under the provision is Industrial Disputes Act can decide,

questions relating of interpretation and application of standing order, even in absence of any notification U/s. 13A of the Industrial Employment (Standing Orders) Act, 1946 and also to grant substantive and consequential reliefs and the application is not premature. In support of such contentions, the learned advocate for the applicant placed reliance on the decision reported in AIR 1969 Bombay 274 (Chipping and Painting Employer's Association P. Ltd. Vs. A. T. Zambre). The Hon'ble High Court in the above stated judgment have held that :

“(A) Industrial Employment (Standing Orders) Act, (1946), S. 13A—Respondent appointed Presiding Officer of Labour Court under S. 8, Industrial Dispute Act. He can decide questions relating to interpretation and application of standing order, even in absence of notification under S. 13A—Industrial Disputes Act, (1947), Ss. 2 (k), 7, 8, 10 (1) (c). Schedule 2, Entries 1 and 2.

Where the respondent was appointed as Presiding Officer of the Central Government Labour Court under S. 8 of the Industrial Disputes Act but there was no notification issued under S. 13A of the Industrial Employment (Standing Orders) Act either empowering the respondent to dispose of the application for reinstatement of the workman who was treated as having abandoned his services in terms of the standing orders, by overstaying his leave without getting the same extended, or the questions or proceedings as to application or interpretation of a standing order under the provision of Section 13A, the respondent is competent even in the absence of a notification under Section 13A to entertain an application under Sec. 13A and under Sec. 7 of the Industrial Disputes Act read with Entries 1 and 2 of the Second Schedule to the Act. The application and interpretation of Standing Orders would undoubtedly fall within the definition of an ‘industrial dispute’ in Section 2(k) Industrial Disputes Act. An industrial dispute after it is referred to a Labour Court under the provision of Section 10 (1) (c) of the Industrial Disputes Act, would be a proceeding. Similarly, a question arising as to the application or interpretation of a Standing Order under S. 13A could be referred to any Labour Court constituted under the Industrial Disputes Act and would be a proceeding. A question under Section 13A as to the application or interpretation of a standing order would be a proceeding of the same kind as a dispute under Section 10 (1) (c) of the Industrial Disputes Act as to the application or interpretation of a standing order under Entry No. 2 in the Second Schedule. The words and specified for the disposal of such proceedings in Section 13A would mean ‘specified’ for the disposal of disputes under Entry No. 2 in the Second Schedule to the Industrial Disputes Act, (Paras 9, 11, 16).

The object of Section 13A which is to provide a provision which enables workmen to the question of application and interpretation of Standing Orders determined without the intervention of appropriate Government will best be served by the above interpretation (Para 13).

Rule 14 of the Bombay Industrial Employment (Standing Orders) Rules, 1959 framed by the Bombay State under Industrial Employment (Standing Orders) Act, (1946) though cannot be relied upon for interpreting Section 13A, is in conformity with the Section. (Para 14).

Once a Labour Court is constituted to deal with matters in Entry No. 2 in Second Schedule, the question must be referred to such Court and if there are more than one Court so authorized in any area, the party referring the question would obviously have a choice of forums, unless there were certain rules under which his choice was limited. (Para 15)

A notification constituting a Court under the Industrial Disputes Act and empowering it to deal with Entry No. 2 in the Second Schedule to the said Act would be a sufficient specification for disposal of applications under S. 13A. In this view, a separate notification empowering such Labour Courts under Section 13A would also not be necessary.”

It is clear from the principles enunciated by the Hon'ble High Court of Bombay as mentioned above that a special notification specifying the Labour Court constituted under Section 7(1) of the Industrial Disputes Act and empowering it to exercise jurisdiction in respect of a particular application u/s. 13A to decide such application and to determine a specific question as to the application and interpretation of a standing order is not necessary. However, it is clear from the decision of the Hon'ble High Court that the Tribunal has no jurisdiction u/s. 13A to grant substantive or consequential relief to any decision as to application or interpretation of standing orders.

8. The Hon'ble Apex Court, in the decision reported in 1985 (2) SCC-35 (Supra) have held that, “Labour and Services—Misconduct—Only those acts and omissions which clearly fall within the misconduct specified in certified standing orders or service regulations would constitute misconduct—Suppression of material fact before employer while seeking employment not mentioned as a misconduct in the relevant service regulation. Even though the charge is grave employer has no discretion to dub it as a misconduct.”

9. Keeping in view the principles enunciated by the Hon'ble Courts as mentioned above, now, the present case in hand is to be considered.

At the outset, I think it proper to mention here that the learned advocate for the respondents argued that the respondents are entitled to enquire about the marital status of the applicant by an enquiry, as the applicant was given provisional appointment on the ground of being the son-in-law of the land owner and employers were coerced and pressurised to sign the agreement for possession of land with element of fraud, dishonesty and to cause deliberate harm to company's interest, which are fully covered by the relevant clauses of the standing orders. However, such contentions are only to be mentioned and rejected, because only by mere perusal of the charge sheet submitted against the applicant, it can be found that such contentions are far from the contentions of charge sheet submitted against the applicant. The English translation of the charge sheet submitted against the applicant is as follows :—

“Allegations have been received against you that you have been appointed vide appointment letter bearing No. WCL/BA/Com. Personnel/1285 dated 25-1-1998 by the Personnel Manager, Ballarpur as the dependent son-in-law of Shri Udhav Vitu Kulmethe, the land owner of Gut No. 58 of village Dhoptala, Tahsil—Rajura, District—Chandrapur and whose land was acquired by WCL and you are still in service in Colar Pimpri till date”.

Your above appointment was in exchange of the land as the dependent son-in-law and subject to registration of the land by the Government of Maharashtra, but it was found that as the land was Tribal land, the same was not registered by the Government of Maharashtra. As the said land was not registered, you are not entitled to get employment in exchange of land and your appointment in WCL is illegal.

Your above Act comes under the misconduct as defined in the Certified Standing Orders of the Company which are as follow :—

- |       |   |   |
|-------|---|---|
| 26.01 | — | Fraud or dishonesty in connection with the employer's business or property          |
| 26.09 | — | Giving false information in connection with his employment.                         |
| 26.22 | — | Any wilful and deliberate act, which is detrimental to the interest of the company. |

Therefore, within 72 hours of receipt of the charge-sheet you are to submit your explanation to the under signed as to why disciplinary action should not be taken against you. If your explanation does not reach this office within 72 hours, it would be presumed that the charges are admitted by you and the management would be compelled to take further administrative action against you.

Sd/-

Sub Area Manager,  
Colar Pimpri Sub Area

Copies to :—

In the above charge sheet, nothing has been mentioned about making enquiry about the marital status of the applicant or the applicant committing dishonesty, fraud or deliberate harm to company's property. Hence, there is no force in the contentions raised by the learned advocate for the respondents.

10. It is the admitted case of the parties that the applicant was appointed as a General Mazdoor Cat. I, as the dependent son-in-law of the land owner, whose land was acquired by WCL and subsequently he appeared in the test of overseer and was selected and posted as an overseer. According to the respondents, as the appointment of the applicant was a conditional appointment and his employment was dependent on the registration of land by the Government of Maharashtra and the said Government refused to register the land, the charge sheet was submitted against the applicant.

On perusal of the appointment order of the applicant, it is found that there was no condition in the same that the appointment was subjected to registration of the land by the Maharashtra Government, though there was a condition that the appointment was subject to physically handing over the possession of the surface rights of the land. Moreover, the applicant was no way connected with refusal of the Maharashtra Government to register the land or there is also no material on record to show that the workman committed any act of dishonesty or fraud for which the land could not be registered or gave false information for his employment or did any act deliberately or wilfully, which was detrimental to the interest of the company.

Moreover, the applicant had already completed the probationary period of six months as a General Mazdoor Cat. I and he was selected and posted as overseer after appearing in the test. Hence, the alleged act of misconduct against the applicant is not covered by the definition of Clauses 26.01, 26.09 and 26.22 of the Certified Standing Orders.

It will not be out to place to mention here that the documents filed by the applicant show that the respondents have offered one additional employment to the nominee of one of the co-owners of Gut No. 58, adm. 2083 ha. (6.99 acres) of mouza Dhoptala in 2009, which shows that Government of Maharashtra has permitted for the transfer of the said land to WCL.

In view of the discussions made above, the application is allowed in part. It is declared that the alleged act of misconduct of the applicant, Manohar Prasad Rejendra Prasad Singh are not covered by the definition of clauses 26.01, 26.09 and 26.22 of the Certified Standing Orders. Rest of the prayers made by the applicant are not granted as this Tribunal is not authorized to grant

substantive and consequential reliefs under Section 13A of the Industrial Employment (Standing Order) Act, 1946.

J. P. CHAND, Presiding Officer

नई दिल्ली, 12 अप्रैल, 2012

का.आ. 1589.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. सी. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण एवं श्रम न्यायालय, गोदावरीखानी के पंचाट (संदर्भ संख्या 49/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-4-2012 को प्राप्त हुआ था।

[सं. एल-22013/1/2012-आई आर (सी-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 12th April, 2012

S.O. 1589.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal-cum-Labour Court, Godavarikhani (IT/ID/49/2006) as shown in the Annexure in the industrial dispute between the employers in relation to the management of SCCL and their workman, which was received by the Central Government on 12-4-2012.

[No. L-22013/1/2012-IR (C-ID)]

D. S. S. SRINIVASA RAO, Desk Officer

#### ANNEXURE

#### BEFORE THE CHAIRMAN, INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, GODAVARIKHANI, DISTT. KARIMNAGAR (A.P)

Present : Sri M. Syamala Rao, BA., B.L.,  
Chairman-cum-Presiding Officer

Tuesday, the 20th day of March, 2012

Industrial Dispute No. 49 of 2006

#### BETWEEN:

Bollampalli Rajaiah, S/o Lingaiah,  
Aged about 43 years,  
R/o Kotapalli village,  
Mandal Kotapalli,  
Dist. Adilabad (A.P)

... Petitioner

#### AND

1. The Colliery Manager,  
Chennur I and IA Incline.
2. The Chief General Manager,  
Srirampur Projects,  
SC Company, Srirampur,  
Dist. Adilabad

3. The Managing Director (Admn.),  
Singareni Collieries Co. Ltd.,  
Kothagudem,  
Dist. Khammam

Respondents

This industrial dispute petition U/Sec. 2-A (2) of I.D. Act, coming on before me for final hearing on 12-3-2012, upon perusing all the documents on record and upon hearing the arguments of Sri S. Bhagavantha Rao, Advocate, for the petitioner and Sri D. Krishna Murthy, Advocate, for the respondents, having stood over for consideration till this date, the court passed the following :

#### AWARD

1. This is an industrial dispute petition filed by the petitioner U/Sec. 2-A(2) of I.D. Act, 1947 to direct all the respondents to reinstate the petitioner into service with continuity of service and other attendant benefits duly setting aside the order of R-2 and full back wages.

The brief averments of the petition are that the petitioner was issued a charge sheet dt. 19-4-2001 to charge sheet No. CNR/2001/2.T/809, dt. 9-4-2001 alleging the charge of absenteeism. The petitioner produced fitness certificate and also submitted sick medical certificate from private hospital. The medical certificate were not considered and thrown the life of the petitioner on road after utilizing 16 years long standing in the company. The petitioner participated in the enquiry and he worked same days in between 7-11-2000 to 18-3-2001. The period which the petitioner absent, submitted medical certificate and they were not considered. The petitioner was not given fair opportunity to defend in enquiry as enquiry reports not submitted, no cross examination to witnesses is done. There is no specific charge of absenteeism. The charge which is framed is not attracting the misconduct. Therefore, prays to decide the validity of domestic enquiry as preliminary issue.

2. And that the terminating of the services of the petitioner is absolutely wrong illegal and against the principles of natural justice and the petitioner worked under the control of R-1 and R-2 terminated the services vide proc., dt. 7-4-2002. Therefore, prays as above.

3. The respondent No. 2 filed his counter denying all the averments made in the petition and the respondent Nos. 1 and 3 adopted his counter by filing a memo.

The brief facts of the counter of R-2 are that it is a Government company incorporated under the provision of Companies Act, 1956 for carrying out the business of mining and selling the coal and that since the coal mining industry is a central subject. The appropriate Government for this respondent/management is Central Government. The respondent submits that as per Sec. 7(A)(I) of I.D. Act, the appropriate Government may by notification in the Official Gazette constitute one or more Industrial Tribunals



for the adjudication of Industrial Disputes relating to any matter whether specified in the 2nd or 3rd Schedule and for performing such other functions as may be assigned to them under this Act. The Central Government established an Industrial Tribunal-cum-Labour Court at Hyderabad from 29-12-2000 for adjudication of industrial disputes and the petitioner ought to have approached the said Tribunal for the redressal of grievance if any. But the petitioner conveniently avoided to file his petition before the Tribunal established by the Central Government for the reasons best known to him and the petition is not maintainable under law and the same may be dismissed on this ground alone.

4. And that the maintainability of the dispute raised by the petitioner before this court may be decided as preliminary issue before proceeding with the trial.

5. The petitioner failed to exhaust a conciliation procedure as laid down in the I.D. Act and filed the present petition before this Tribunal U/Sec. 2(A)(2) of I.D. Act, 1947 as amended by A.P. Amendment Act, 1987 (Act No. 32 of 1987). It is submitted that as the appropriate Government for coal mining industry is the Central Government, the State Government Act is not applicable to the respondents company and the petition filed by the petitioner is not maintainable and is liable to be dismissed in limine.

6. And that the petitioner was appointed in the respondent company on 28-2-1988. Since he was absent for 205 days in the year 2005 and 307 days in the year 2000 and absent from 7-11-2000 to 18-3-2001 without leave or prior permission from his superiors. The petitioner was issued charge sheet dt. 9-4-2001 for unauthorised absenteeism under clause 25.31 of the approved standing orders of the respondents company which reads as follows :

“Absence from duty without sanctioned leave or sufficient cause or over staying beyond sanctioned leave”.

7. The petitioner after receipt of the charge sheet submitted his explanation dt. 9-4-2001 stating that due to ill health he did not attend the duty and requested the respondent company to take him to duty. He further assured that he will attend 25 days in each month in future. As the explanation submitted by the petitioner is not satisfactory, enquiry was ordered duly appointing enquiry officer. The petitioner was issued enquiry notice dt. 30-5-2001 to attend the enquiry to be conducted on 9-6-2001 at the office of the Chennur, 1 and 1-A Incline along with his witnesses and documentary evidence. As the petitioner failed to attend the enquiry inspite of receipt of the enquiry notice, the enquiry notice was published in Vaartha daily news paper dt. 24-1-2002 advising him to attend the enquiry on 31-1-2002. The petitioner attended the enquiry on

31-1-2002 and fully participated in the enquiry. At the beginning of the enquiry proceedings the enquiry officer explained the procedure of enquiry and explained the contents of charge sheet. The petitioner stated that he understood the contents of the charge sheet and pleaded guilty of the charges levelled against him. The petitioner did not choose to take assistance of his colleague during the enquiry. He was given fair opportunity to cross examine the management witness, but he did not cross examine them. The contents of the enquiry proceedings and statements recorded were explained in Telugu to the petitioner and recorded in his presence. In his statement, the petitioner during the enquiry admitted the guilt and stated that due to ill health he did not attend the duty and submitted medical certificate issued by Dy. Civil Surgeon, Govt. Civil Hospital, Chennur, for the period from 7-11-2000 to 18-3-2001. The petitioner did not produce any certificate for his absence for the year 1999 and 2000 which clearly shows that he produced the above medical certificate to get some sympathy from the respondent and the petitioner created the document only to suit his case.

8. And that regarding medical facilities, the respondent company is carrying out mining operations which is engaged in exploration, excavation, extraction and winning of coal in the 4 Districts of Andhra Pradesh i.e., Khammam, Karimnagar, Adilabad and Warangal and has a well established chain of hospitals in all its areas and also in the nearby to cater to the health requirements of its employees and their family members. It is also mandatory under the Mines Act/Regulations to maintain the hospitals that are manned by the qualified medical practitioners. Also the respondent company has rules and regulations to refer the cases of complicated diseases to outside hospitals like Osmania General Hospital, Gandhi Medical Hospital and Nizam's Institution of Medical Sciences and the charges are also borne by the respondent company. The petitioner is fully aware of the same and did not avail the facilities. He never reported at company's hospital for treatment and sick leave. The charges levelled against the petitioner are proved during the enquiry. With a view to give opportunity to the petitioner to represent against the findings of the enquiry report, the petitioner was advised to submit his representations if any vide letter dt. 23-6-2002, duly enclosing a copy of the same within 7 days. As the petitioner was absent for his duties, the said letter was sent to his native place through Regd. Post with Ack. due. The petitioner inspite of the receipt of the said letter and enquiry report, did not submit his explanation.

9. And that the respondents company employs more than 83,000 persons. If the employees are habitually abstain/abscond from their duties, the required production/planned production targets will not be achieved resulting in huge losses to the respondent company. To avoid this contingency, the respondent company incorporated the absenteeism as one of the acts of misconduct which is

approved by the Central Government in accordance with the procedure laid down in the Industrial Employment (Standing Orders) Act, 1946.

10. And that the petitioner worked 68 days in the year 1996, 104 days in the year 1997, 143 days in the year 1998, 15 days in the year 2001 and did not even one day in the year 2002 which shows that the petitioner is a habitual absentee. As the charges leveled against the petitioner are proved during the enquiry, the services of the petitioner were terminated vide letter dt. 7-4-2002 with immediate effect. The petitioner fully participated in the domestic enquiry and in token of his participation has put his thumb impression on the enquiry proceedings. The allegations which are not specifically admitted are hereby denied. Therefore prays to dismiss the petition with costs.

11. Basing on the above pleadings, preliminary issues were framed and settled by holding that the domestic enquiry conducted is legal, proper, valid and binding on the parties.

12. During the enquiry, no witnesses are examined on either side, but Ex. W-1 to Ex. W-3 are marked on behalf of the petitioner and Ex. M-1 to Ex. M-9 are marked on behalf of the respondents, by consent.

13. Heard both sides. perused the material papers on record.

14. Now the points that arise for considerations are :

- (1) Whether the present petition is maintainable before this Tribunal ?
- (2) Whether the charges framed against the petitioner are proved ?
- (3) Whether the punishment of dismissal from service imposed by the respondents is illegal and against the principles of natural justice;
- (4) To what relief the petitioner is entitled ?

15. Point No. 1 :

It is the case of the respondents that the respondents company incorporated under the provisions of Company's Act, 1956 for carrying out the business and selling the coal and since the coal mining industry is a Central subject, the appropriate Government for this respondents/management is Central Government and that as per Sec. 7A(1) of I.D. Act, the Appropriate Government by may its notification the Official gazette constitute one or more Industrial Tribunals for adjudication of industrial disputes relating to any matter whether specified in the 2nd or 3rd schedule and for performing such other functions as may be assigned to them under this Act. The respondents further submitted in their counter the Central Government

established an industrial Tribunal-cum-Labour Court at Hyderabad on 29-12-2000 for adjudication of Industrial disputes and the petitioner ought to have approached the said tribunal for redressal of grievances if any. But the petitioner conveniently avoided to file his petition before the Tribunal established by the Central Government for the reasons best known to him and the petition is not maintainable under law and the same may be dismissed on the ground and this issue may be decided as preliminary issue before proceeding with the trial.

"Appropriate Government is described U/Sec. 2-A of the I.D. Act, 1947". According to Sec. 2-A(1) of the above Act, the Appropriate Government, by notification in the Official Gazette constitutes one or more Industrial Tribunals for adjudication of Industrial Disputes relating to any matter whether specified in 2nd or 3rd schedule. So, according to the above 2 provisions of law, this Tribunal is established. Admittedly the petition filed by the petitioner is covered by an Industrial Dispute.

16. In a case reported in 1998(5) ALD-16 (D.B.) in a writ petition between U. Chinnappa Vrs., Cotton Corporation of India and others; the Division Bench of our High Court held—"we will assume that in so far as the dismissed or retrenched workman is able to approach the Labour Court straight-away, the power of the Central Government to make a reference of the dispute may be whittled down protanto and in that sense there is a conflict or repugnancy with sub-section (2) of Section 2(A) and Section 10(1) r/w sub-section (1) of Section 2-A and Section 3 of the Act. Even then, the Presidential assent given under Article 254(2) makes the State law prevail over the provisions of the Central law to the extent of repugnancy". It also further observed Industrial Disputes Act, 1947, Section 2-A(2)—Not confined to workmen employed in Industrial undertakings of State Government—It applies also to workmen engaged in Central Government undertakings.

17. If the plea of the respondent is considered in the light of the above case law, it falls to the ground, because, Section 2-A(2) of I.D Act, 1947 applies both to the workmen employed in Industrial undertakings of State Government and also to the workmen engaged in Central Government undertakings.

18. In other words, it can be said it is for the workman to approach U/Sec.2-A(2) of I.D. Act, either to the Industrial Tribunals having Central jurisdiction and also the Tribunals having State jurisdiction.

19. In view of the above, I hold that this Tribunal is having jurisdiction to decide the industrial dispute on hand and the petition filed by the petitioner is maintainable. The point is answered accordingly.

**20. Point Nos. 2 and 3 :**

The charge sheet marked under Ex. M-1 shows that the petitioner "absented from duty without any authorised leave, sick or prior permission from his superior officers from 7-11-2000 to 18-3-2001 (4 months, 11 days). The petitioner also absented for 307 days in the year 2000 and 205 days in the year 1999. The above records clearly shows that the petitioner is in the habit of absenting from work very frequently and also some times continuously and his act amounts to gross-misconduct under the company's standing order No. 25.31 which reads as follows :

"Absence from duty without sanctioned leave or sufficient cause or over staying beyond sanctioned leave".

Therefore he was required to submit his written explanation within (4) days of the receipt of the above charge sheet as to why disciplinary action should not be taken against him. If he does not submit written explanation within the stipulated time, the same will be dealt with on the information available with the management". The above is the gist of the charge sheet Ex. M-1.

21. For the above charge sheet, the petitioner submitted his reply marked under Ex. M-2 under this he stated that due to ill health/sick in the house he absented from duty in the year 1999 and in the year 2000 he was attacked with T.B., admitted in the area hospital and taken treatment. Even after 4 months as the disease was not cured, he got "Chetivaidyam" and thereafter his health was cured. Therefore, he sought to excuse him and also undertaken that he will work for 25 days in a month and will not absent in future. Ex. M-3 is the enquiry notice duly appointing the enquiry officer and the same was received by the petitioner. Ex. M-4 is another enquiry notice published in Vaartha daily news paper which is a xerox copy.

22. The enquiry proceedings/statements of the witnesses examined on behalf of the respondents and of the petitioner by the enquiry officer are marked as Ex. M-5. The pay sheet clerk by name N. Kanaka Raju in his statement before the enquiry officer did not states as to how many days the petitioner absented for duty in the year 1999 and in the year 2000 and he stated only how many musters the petitioner put up in those years. Whereas the charge sheet reveals that the petitioner absented for 307 days in the year 2000 and for 205 days in the year 1999.

23. The enquiry officer gave his findings about the evidence of N. Kanaka Raju, pay sheet clerk and the documents produced by him, immediately after completion of his chief examination and thereafter gave opportunity to the petitioner to cross-examine the said witness. It is an irregular procedure for recording the evidence of a witness. As seen from the statement of the petitioner recorded by the enquiry officer, it is surprising to note that he was

cross-examined by Sri A. Narsimha Murthy, Office Superintendent (POA), who is not a presenting officer to present the case of the management before the enquiry officer. There is no material placed by the respondents to show that A. Narsimha Murthy was authorised or permitted by the management to represent the management and to cross-examine the petitioner/his witnesses during the enquiry. As such this is also not a proper way for the enquiry officer in allowing a management witness who was neither appointed by the management nor authorised by the management as a presenting officer. Then allowing him to cross-examine the petitioner during the departmental enquiry, is an irregular procedure adopted by the enquiry officer.

24. Though the petitioner during the course of cross-examination by the said Mr. A. Narsimha Murthy, admitted about his fault of charges, when the enquiry procedure itself is an irregular procedure, his admission do not have any bearing over the case of the respondent. Apart from it, though the petitioner admitted about his fault in his cross-examination, he gave reasons for his absenteeism during the charge period and also submitted medical certificate issued by the Dy. Civil Surgeon, Govt. Civil Hospital, Chennur for the period from 17-11-2000 to 18-3-2001.

25. The findings of the enquiry officer are marked as Ex. M-6. The enquiry officer in his findings report did not consider the medical certificate placed before him by the petitioner for the charge period from 7-11-2000 to 18-3-2001, nor referred the petitioner to the respondents area hospital for verification and to ascertain its genuineness or otherwise.

26. Ex. M-7 is the letter of the 1st respondent furnishing copy of enquiry report alongwith enquiry proceedings to the petitioner, requiring him to make representation against the findings containing the enquiry report within 7 days. It is not a show cause notice containing the punishment proposed to be imposed on the petitioner. It was received by the petitioner under Ex. M-8 acknowledgement. Thereafter the 2nd respondent passed order dt. 7-4-2003 dismissing the petitioner from service with immediate effect. So the seriatim of the documents marked on behalf of the respondent show, without issuing show cause notice with the proposed punishment of dismissal, the 2nd respondent directly passed the order marked under Ex. M-9 dismissing the petitioner from service, which is irregular, illegal and also against the principles of natural justice.

27. The perusal of the enquiry findings report marked under Ex. M-6 shows that the documents placed before the enquiry officer by Kanaka Raju, pay sheet clerk do not show as to how many days the petitioner absented for duty in the years 1999 and 2000, but they only show as to how many musters the petitioner put up in those years. Apart from it, those documents are not filed by the

respondents before this Tribunal, for the reasons best known to it.

28. So the above documentary evidence clearly shows that the procedure adopted by the enquiry officer is irregular which cannot be cured. When it is so, I reiterate again that the admission of the petitioner about the charges before the enquiry officer do not have any bearing over the case of the respondents. Therefore, I am under the considered opinion that the respondents have failed to prove the charges framed against the petitioner and consequently I hold that the charges framed against the petitioner are not proved.

29. Admittedly after calling the representation of the petitioner on the enquiry findings report, the 2nd respondent directly removed the petitioner from service without issuing show cause notice with proposed punishment. In my considered opinion, it is illegal and against the principles of natural justice; because issuing show cause notice also is a part of procedure to be adopted before inflicting the capital punishment of dismissal from service on the petitioner. Apart from the above, the disciplinary authority of the 2nd respondent failed to consider the medical certificate submitted by the petitioner for the charge period before the enquiry officer and no reasons were assigned for discarding the above documentary evidence placed by the petitioner.

30. While arguing the case, the learned counsel for the respondents contended that the termination of the petitioner was made after giving notice and it is not liable to be challenged. In support of his contention, the learned counsel relied on the decision reported in 2002(1) ALD-314 D.B. of A.P. High Court in W.P. No. 30036/1995 between Thirumalaiah Vs. Additional Industrial Tribunal-cum-Additional Labour Court, Hyderabad and Another. In this case their Lordships have observed that the termination from service on the ground of continued absence from duty under the standing orders does not amount to retrenchment. When such order of termination was made after giving notice to the employee, it is not liable to be challenged. But in the present case it is not retrenchment nor termination from service. It is dismissal of the petitioner from service on the ground of absenteeism. So the above case law is not applicable to the facts of the present case.

31. Therefore, I am under the considered opinion that the punishment of dismissal from service imposed by the 2nd respondent against the petitioner is illegal and against the principles of natural justice. The points are answered accordingly.

#### 32. Point No. 4 :

In view of my findings on Points 1 to 3, I am under the considered opinion that denial of entire back wages

would be sufficient punishment for the petitioner. Consequently, I hold that the order of dismissal from service passed by the 2nd respondent is liable to be set aside and is set aside accordingly.

33. In the result, the petition is partly allowed setting aside the dismissal order dt. 7-4-2003 marked under Ex. M-9 passed by the 2nd respondent. The respondents' company is hereby directed to reinstate the petitioner into service with continuity of service and other attendant benefits, but without any back wages, within one month from the date of Gazette publication of this award. The I.D. is disposed of accordingly, but in the circumstances without any costs.

Typed to my dictation directly by Typist, corrected and pronounced by me in the open court on this, the 20th day of March, 2012.

M. SYAMALA RAO, Chairman-cum-Presiding Officer

#### Appendix of Evidence Witnesses Examined

For Workman : Nil  
For Management : Nil

#### Exhibits

##### For Workman :

Ex. W-1 Dt. 07-04-2003 Dismissal order x-copy  
Ex. W-2 Dt. 21-03-2002 Enquiry report  
Ex. W-3 Dt. — Enquiry findings of the E.O.

##### For Management :

Ex. M-1 Dt. 09-04-2001 Charge sheet office copy  
Ex. M-2 Dt. 09-04-2001 Reply to the charge sheet  
Ex. M-3 Dt. 30-05-2001 Enquiry notice o/c  
Ex. M-4 Dt. 24-01-2002 Copy of enquiry notice published in Vaartha daily news paper x-copy  
Ex. M-5 Dt. 31-01-2002 Enquiry proceedings along with medical certificate  
Ex. M-6 Dt. 21-03-2002 Enquiry report  
Ex. M-7 Dt. 23-06-2002 Letter issued to the petitioner/ (show cause notice) calling comments on enquiry report  
Ex. M-8 Dt. 29-06-2002 Ack. of petitioner  
Ex. M-9 Dt. 07-04-2003 Dismissal order